



THE NEW GUILD TRUST

Supporting Pupil Attendance and Absence Policy

POLICY

This policy has been adopted on behalf of all academy schools in The New Guild Trust:

**Moorpark Junior School
Jackfield Infant School
Alexandra Junior School
Alexandra Infants' School**

Approval and Review

| | |
|--|-----------------|
| Committee to Approve Policy | Trust Board |
| Date of Trustee Board / Academy Committee Approval | February 2025 |
| Chair of Trustee Board / Academy Committee | Mrs L Eagle |
| Signature | <i>L Eagle</i> |
| Accounting Officer | Mrs K Peters |
| Signature | <i>K Peters</i> |
| Policy Review Period | 12 months |
| Date of Policy Review | February 2026 |

| Version Control | | | |
|------------------------|----------------------|---|---|
| Version | Date Approved | Changes | Reason for Alterations |
| Initial | 2019 | | |
| 2 | Jan 2022 | Appendix 4: Link to Covid-19 guidance | Updated Covid-19 guidance |
| 3 | Feb 2023 | 3.1 Use of Arbor MIS to record pupil attendance | New MIS |
| 4 | Nov 2023 | Appendix 4: Link to Government guidance 21/22 removed. Link to new Government guidance inserted. | Government guidance 21/22 withdrawn |
| 5 | March 2024 | Deleted any references to Covid-19. | No longer relevant |
| | | Added reference to pupils with mental illness or SEND p4. | Is an emphasis in newest guidance |
| 6 | Jan 2025 | Added intro p4 | To comply with WTTIA |
| | | Reference new guidance "Working Together to improve school attendance" p5. | Replaces older guidance |
| | | Deleted reference to school census 2017 p5. | Outdated |
| | | Added reference to the Equality Act and the UN Convention on the Rights of the Child p6. | Referred to in WTTIA |
| | | Added passage to reflect new guidance about PAs p8. | To comply with WTTIA |
| | | Added under 4.2 new guidance p9. | To comply with WTTIA |
| | | Changed from monthly and added more monitoring details p10. | To comply with WTTIA |
| | | Under 7.1 p10 added more detail about the role and responsibility of the Trust with regard to training and induction. | To comply with WTTIA |
| | | Replaced SIMS with Arbor | New MIS |
| | | Added "Works with individual pupils to explore possible reasons for low attendance" p11 | Missed on original job list for attendance lead |
| | | Added codes K, C1, C2, Y codes; deleted H | Missing in old policy or |

| | | | |
|--|--|--|---------------------|
| | | code: now C code. | obsolete |
| | | Added Appendix 4 | |
| | | P8 – Added passage about absence threshold leading to penalty notices. | As per new guidance |
| | | P9 changed penalty amounts to the new amounts. | As per new guidance |

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1. Attendance is Most Important

It is essential for pupils to get the most out of their school experience, including their attainment, wellbeing, and wider life chances. The pupils with the highest attainment at the end of Key Stage 2 and Key Stage 4 have higher rates of attendance over the key stage compared to those with the lowest attainment. At KS2, pupils not meeting the expected standard in reading, writing and maths had an overall absence rate of 4.7%, compared to 3.5% among those meeting the expected standard. Moreover, the overall absence rate of pupils not meeting the expected standard was higher than among those meeting the higher standard (4.7% compared to 2.7%).

For the most vulnerable pupils, regular attendance is also an important protective factor and the best opportunity for needs to be identified and support provided. All schools in the Trust are particularly mindful of pupils absent from school due to mental or physical ill health or their special educational needs and/or disabilities, and provide them with additional support (the schools will follow the processes as set out in paragraphs 56 to 62 of WTTIA 2024). For the exceptional circumstances that might require the consideration of a part-time timetable please consult our SEND and Inclusion policy.

Improving attendance is everyone's business. The barriers to accessing education are wide and complex, both within and beyond the school gates, and are often specific to individual pupils and families. Good attendance is enabled when school is a calm, orderly, safe, and supportive environment where all pupils want to be and are keen and ready to learn. Some pupils find it harder than others to attend school and therefore at all stages of improving attendance, our schools and their attendance partners in the LA will work with pupils and parents to remove any barriers to attendance by building strong and trusting relationships and working together to put the right support in place. Our practices for securing good attendance involve close interaction with our efforts on curriculum (catch all), behaviour (relational approach to behaviour), bullying, special educational needs support, pastoral and mental health and wellbeing (varied well being and mental health initiatives and trained staff in all schools), and effective use of resources, including pupil premium (large and experienced HSL team). It is not solely the preserve of a single member of staff, or organisation, it is a concerted effort across all teaching and nonteaching staff in school, the trust or governing body, the local authority, and other local partners.

Should you need any assistance enabling your child to attend school regularly on time, please don't hesitate to contact the named **attendance link** or the **Senior Attendance Champion** in each school:

| Alexandra Infants' School | Alexandra Junior School | Jackfield Infant School | Moorpark Junior School |
|---------------------------|-------------------------|-------------------------|------------------------|
| Sally Adams | Mrs Lambert-Eardley | Mrs Beverley Bromage | Mrs M Matthews |
| Adele Lupton | Mr Ralf Müller | Mrs Rachel Davies | Mrs Lyndsey Wright |
| 01782 235505 | 01782 235377 | 01782 234450 | 01782 234440 |

2. Aims

The New Guild Trust expects all children on roll to attend every day when the school is in session, as long as they are fit and healthy enough to do so. We do all we can to encourage the children to attend, and to put in place appropriate procedures. We believe that the most important factor in promoting good attendance is development of positive attitudes towards school. To this end, we strive to make our school a happy and rewarding experience for all children. We will also make the best provision we can for those children who, for whatever reason, are prevented from coming to school. The school has the highest of expectations for school attendance and prides itself on good levels of attendance for all its pupils.

The New Guild Trust aims to meet its obligations with regards to school attendance by:

- Promoting good attendance and reducing absence, including persistent absence.
- Ensuring every pupil has access to full-time education to which they are entitled.

- Acting early to address patterns of absence.

We will also support parents to perform their legal duty to ensure their children of compulsory school age attend regularly, and will promote and support punctuality in attending lessons.

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Successfully treating the root causes of absence and removing barriers to attendance, at home, in school or more broadly requires schools and local partners to work collaboratively with, not against families.

Our schools will follow the guidance in WTTIA and work together with parents and other partners as outlined under “Working together to improve attendance”:

MONITOR: Rigorously use attendance data to identify patterns of poor attendance (at individual and cohort level) as soon as possible so all parties can work together to resolve them before they become entrenched.

EXPECT: Aspire to high standards of attendance from all pupils and parents and build a culture where all can, and want to, be in school and ready to learn by prioritising attendance improvement across the school.

LISTEN AND UNDERSTAND: When a pattern is spotted, discuss with pupils and parents to listen to understand barriers to attendance and agree how all partners can work together to resolve them.

FACILITATE SUPPORT: Remove barriers in school and help pupils and parents to access the support they need to overcome the barriers outside of school. This might include an early help or whole family plan where absence is a symptom of wider issues.

FORMALISE SUPPORT: Where absence persists and voluntary support is not working or not being engaged with, partners should work together to explain the consequences clearly and ensure support is also in place to enable families to respond. Depending on the circumstances this may include formalising support through a parenting contract or education supervision order.

ENFORCE: Where all other avenues have been exhausted and support is not working or not being engaged with, enforce attendance through statutory intervention or prosecution to protect the pupil’s right to an education.

3. Legislation and Guidance

The law entitles every child of compulsory school age to an efficient, full-time education suitable to their age, aptitude, and any special educational need they may have. It is the legal responsibility of every parent to make sure their child receives that education either by attendance at a school or by education otherwise than at a school. Where parents decide to have their child registered at school, they have an additional legal duty to ensure their child attends that school regularly. This means their child must attend every day that the school is open, except in a small number of allowable circumstances such as being too ill to attend or being given permission for an absence in advance from the school.

This policy meets the requirements of the attendance guidance from the Department for Education (DfE), (Working together to Improve School [Attendance](#) 2024), and refers to the DfE’s statutory guidance on [school attendance parental responsibility measures](#). These documents are drawn from the following legislation setting out the legal powers and duties that govern school attendance:

- [The Education Act 1996](#)
- [The Education Act 2002](#)
- [The Education and Inspections Act 2006](#)
- [The Education \(Pupil Registration\) \(England\) Regulations 2006](#)
- [The Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2010](#)
- [The Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2011](#)
- [The Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2013](#)

- [The Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2016](#)
- [The Education \(Penalty Notices\) \(England\) \(Amendment\) Regulations 2013](#)

The policy also considers:

- [The Equality Act 2010](#)
- [UN Convention on the Rights of the Child](#)
- Keeping Children Safe in Education

4. School Procedures

4.1 Attendance Register

By law, all schools are required to keep an attendance register, and all pupils must be placed on this register. All schools within The New Guild Trust use Arbor MIS to record pupil attendance.

The Attendance Register will be taken at the start of the first session of each school day and once during the second session. It will mark whether every pupil is:

- Present
- Attending an approved off-site educational activity
- Absent
- Unable to attend due to exceptional circumstances

Any amendment to the attendance register will include:

- The original entry
- The amended entry
- The reason for the amendment
- The date on which the amendment was made
- The name and position of the person who made the amendment

See Appendix 1 for the DfE attendance codes.

Every entry in the attendance register will be preserved for 3 years after the date on which the entry was made.

Pupils must arrive in school on time on each school day.

The register for the first session will be taken at the start of the school day and will be kept open for 30 minutes.

4.2 Unplanned Absence

Parents must notify the school on the first day of an unplanned absence – for example, if their child is unable to attend due to ill health. All absence must be reported to the individual school office on the day of the absence by no later than 30 minutes after the start of the school day. Absence must be reported everyday unless previously stated that a child will be absent for a number of days. Any absence not reported within this timescale would be classed as unauthorised until the school seeks verification from the parent. Where this has not been able to be sourced despite the school's best efforts, then the absence will remain as unauthorised. Notification of the absence in the morning would cover all day. Any pupils who are not in school will be contacted by school staff.

Absence due to illness will be authorised when evidence is provided, such as a doctor's note, prescription, appointment card or other appropriate form of evidence.

If the school is not satisfied about the authenticity of the illness, the absence will be recorded as unauthorised and parents will be notified of this in advance.

4.3 Medical or Dental Appointments

Missing registration for a medical or dental appointment is counted as an authorised absence; advance notice is required for authorising these absences.

However, we encourage parents to make medical and dental appointments out of school hours where possible. Where this is not possible, the pupil should be out of school for the minimum amount of time necessary.

Applications for other types of absence in term time must also be made in advance. Information relating to whether the school can authorise such absences can be found in Section 5.

4.4 Lateness and Punctuality

Frequent lateness of pupils can provide grounds for prosecution of parents. Any child not present when the register is taken will be marked absent. The School allows the register to be kept open for up to 30 minutes from the beginning of registration. In the case of known delays such as bus breakdowns or severe weather, the register may be kept open for longer.

Should a pupil arrive after the normal period of registration has ended he/she should report to the school office to be marked present, this will automatically be recorded as a late mark. Lateness is regularly monitored by the appointed member of staff who will contact parents of children who are persistently late.

If the pupil arrives more than 30 minutes after the start of the school day, they will be marked as late. For legal purposes this can be regarded as an unauthorised absence, unless the parents have provided an acceptable reason, e.g. medical appointment.

For specific detail please refer to each academy school's Attendance Policy, which can be found on their website.

4.5 Following Up Absence

When a child is absent unexpectedly the class teacher will record the absence in the register and will inform the school office. Parents are expected to inform the school office within half an hour of the school start of this absence for the morning session. Absence should be reported every day unless previously stated that a child will be absent for a number of days. Should there be no contact from parents then contact will attempted to be made by the school to find out the reason for the child's absence via the school's first day call system. The Family Support Worker may decide to visit the home.

Parents are encouraged to send a note to school on the previous day should a parent know of an absence the next day such as a medical appointment. All medical appointments in school time will only be authorised with the correct evidence provided e.g. letter from the hospital, dental or doctor's appointment card. Appointments during the school day should be in exceptional cases.

If a child is absent during the school day they will be unable to take part in any extracurricular activities or events run after school or in the evening of the day they in which they were absent. The only exception to this would be where a child has had leave from school granted as an exceptional circumstance e.g. to attend a family funeral.

Long Term Absence

When children are absent from school with an absence from an illness of more than 5 days, the school will do all it can to send material home, so that they can keep up with their school work. If the absence is likely to continue for an extended period, or be a repetitive absence, the school will attempt to make arrangements for tuition outside school should this be deemed to be an

appropriate course of action. We will be providing the local authority with the full name and address of all pupils who have been recorded with code I (illness) and who the school has reasonable grounds to believe will miss 15 days consecutively or cumulatively because of sickness.

Repeated Unauthorised Absence

In the first instance, the school will explore with the pupil and the parents the barriers for regular attendance and offer support on an individual basis. This could include working on self esteem, supporting with friendship issues or supporting the families with housing, transport etc. Following the guidance in WTTIA, where voluntary support (see also below) has not been effective and/or has not been engaged with all schools will work with the Educational Welfare Service to:

- Put formal support in place
- Issue a fixed penalty notice where support would not be appropriate or has not been successful or engaged with and it is likely to change the parents' behaviour.
- Intensify support through statutory children's social care involvement where there are safeguarding concerns, especially where absence becomes severe (below 50% attendance).
- Prosecute parents where all other routes have failed or are not deemed appropriate. This could include making the case for a community or parenting order where the parent is convicted to secure engagement with support.

The threshold from which penalty notices may be considered stands at 10 sessions of absences (equals five days) over a 10 week period. These absences can be made up of O, G and U codes of absence. Over a 3 year period a maximum of two penalty notice can be issued per child. A third offence would lead to prosecution in the Magistrates Courts.

If repeated unauthorised absence occurs, the school will refer to the Education Welfare Service who will then take the necessary action which could result in prosecution should the situation not improve following the support and advice of the school and Education Welfare Service. Legal action is always the last resort but will be taken should parents not take full responsibility for sending their children to school on a regular basis.

Persistent and Severe Absence

Additional targeted support will be put in place to remove any barriers to attendance, where absence escalates and pupils miss 10% or more of school (equivalent to 1 day or more a fortnight across a full school year), to reengage these pupils. In doing so, our schools will sensitively consider some of the reasons for absence and understand the importance of school as a place of safety and support for children who might be facing difficulties, rather than reaching immediately for punitive approaches.

Particular focus should be given by all partners to pupils who are absent from school more than they are present (those missing 50% or more of school). These severely absent pupils may find it more difficult to be in school or face bigger barriers to their regular attendance and as such are likely to need more intensive support across a range of partners. A concerted effort is therefore needed across all relevant services to prioritise them. All partners will work together to make this group the top priority for support – this may include specific support with attendance or a whole family plan, but it may also include consideration for an education, health and care plan or an alternative form of educational provision where necessary to overcome the barriers to being in school. If all avenues of support have been facilitated by schools, local authorities, and other partners, and the appropriate educational support or placements (e.g. an education, health and care plan) have been provided but severe absence for unauthorised reasons continues, it is likely to constitute neglect. Schools and local authorities should be especially conscious of any potential safeguarding issues in these cases and where these remain, conduct a full children's social care assessment. Further information is available in the statutory guidance on Keeping Children Safe in Education.

4.6 Reporting to Parents

Each school within the trust reports attendance to parents in the end of year reports. In addition, attendance would be discussed in parent consultations and at specific meetings in a child's attendance needs support in improving.

5. Authorised and Unauthorised Absence (Including Holiday Requests)

5.1 Granting Approval for Term-Time Absence

We believe that children need to be in school for all sessions, so that they can make the most progress possible. However, we do understand that there are circumstances under which a parent may legitimately request leave of absence for a child to attend a special event. Under education law parents may request absence for pupils under exceptional circumstances and proof will be required. The New Guild Trust will take such requests into consideration but have decided that **holidays during term time will not be authorised** (exceptional circumstances are considered by the Head Teacher). An Exceptional Leave of Absence Request form should be requested by the parent via the school office. The school takes a very hard line on term time leave and fully implements the code of conduct (see Appendix 2). Requests of this nature will only be authorised in the most exceptional circumstances. **All such requests for exceptional leave must be handed to the school office four weeks prior to the proposed leave.** (See Appendix 3 for Request for Leave of Absence form.)

If the pupil goes on holiday in spite of the school policy then the absence is unauthorised and **finer will be issued** (at the discretion of the Head Teacher). If a child is absent from school for more than 20 days without good reason i.e. illness, the pupil will be taken off roll and parents will have to re-apply for a place at the school by contacting the LA Admissions Team.

Any requests for absence of leave under special circumstances must be made to the Head Teacher and a meeting will be arranged with a member of the senior leadership team.

5.2 Legal Sanctions

The local authority can fine parents on behalf of a school for the unauthorised absence of their child from school, where the child is of compulsory school age (the schools do not benefit directly from any fines issued).

If issued with a penalty notice, parents must pay £80 within 21 days or £160 within 28 days (per parent). The payment must be made directly to the local authority.

The decision on whether or not to issue a penalty notice ultimately rests with the Head Teacher, following the local authority's code of conduct for issuing penalty notices. This may take into account:

- A number of unauthorised absences occurring within a rolling academic year.
- One-off instances of irregular attendance, such as holidays taken in term time without permission.
- Where an excluded pupil is found in a public place during school hours without a justifiable reason.

If the payment has not been made after 28 days, the local authority can decide whether to prosecute the parent or withdraw the notice.

The law protects pupils' rights to an education and provides a range of legal interventions to formalise attendance improvement efforts, and where all other avenues have been exhausted, enforce it through prosecuting parents. Attendance legal intervention can only be used for pupils of compulsory school age and decisions should be made on an individual case by case basis. Our schools work together with the Local Authority in accordance to the structure set out in WTTIA

Section 6: Legal intervention where this should become necessary (see Appendices 4 and 5 for an overview of effective attendance management procedures and legal intervention measures).

6. Strategies for Promoting Attendance

Each school within the Trust celebrates good attendance. Please refer to each academy school's Attendance Policy for specific initiatives (available on individual websites).

7. Attendance Monitoring

The attendance leader monitors pupil absence on a weekly and analyses for trends on a half termly basis. Data is broken down into groups of pupils based on gender, FSM, SEND and ethnicity to try to detect if there are particular groups attending poorly so that support can be directed to these alongside the individual support that is always offered. Special consideration is always given to historically low attending groups like FSM and the particular vulnerability of SEND pupils is always taken into account. If attendance falls below 97% a letter is sent to parents warning that attendance is falling.

If attendance does not improve then a second letter is sent inviting parents in to attend an attendance clinic where a member of SLT and the Family Support Worker will work with parents to support improving the child's attendance. The attendance team will discuss if there is reason to suspect school based reasons for poor attendance and will utilise strategies suggested in "Emotion based non attendance" guidance to explore this possibility to put support in place.

If attendance reaches as low as 90% an additional letter is sent inviting parents to a meeting and advising them that attendance will be expected to improve over the next 4 weeks. They will be informed that their child is classed as a PA child (Persistent Absentee). The persistent absence threshold is 10%. If a pupil's individual overall absence rate is greater than or equal to 10%, the pupil will be classified as a persistent absentee. The school will work closely with parents/carers to support improvement.

Pupil-level absence data is collected each term and published at national and local authority level through the DfE's school absence national statistics releases. The underlying school-level absence data is published alongside the national statistics. We compare our attendance data to the national average, and share this with the Local Community Governing Board.

Pupil attendance will be recorded on the Arbor MIS database. This will be used to track the attendance of individual pupils, and those whose absences may be a cause of concern, and monitor and evaluate those children identified as being in need of intervention and support.

8. Roles and Responsibilities

8.1 The Trust and the Local Community Governing Board (LCGB)

The LCGB is responsible for monitoring attendance figures for the whole school on at least a termly basis. It also holds the Head Teacher to account for the implementation of this policy.

The Trust and LCGB ensure that:

- Training on attendance is included in the school(s)' continued professional development offer for all staff, and that attendance is covered in any Trust/Federation wide induction packs.

All staff should have an understanding of:

- The importance of good attendance and that absence is almost always a symptom of wider circumstances, of the law and requirements of schools including on the keeping of registers;
- The school/Trusts' strategies and procedures for tracking, following up and improving attendance;

- And the processes for working with other partners to provide more intensive support to pupils who need it.

Dedicated attendance training is provided to any staff with a specified attendance function in their role, including administrative, pastoral or family support staff and senior leaders. In addition, this should include:

- The necessary skills to interpret and analyse attendance data;
- And any additional training that would be beneficial to support pupils and pupil cohorts overcome commonly seen barriers to attendance.

The Trusts and Federation governing bodies are, therefore, provide opportunities to bring together staff from different schools to learn from each other's attendance expertise and share effective interventions in form of a regularly meeting attendance group, chaired by one of the Head Teachers.

8.2 The Head Teacher

The Head Teacher is responsible for ensuring this policy is implemented consistently across the school, and for monitoring school-level absence data and reporting it to governors.

The Head Teacher also supports other staff in monitoring the attendance of individual pupils and issues fixed-penalty notices, where necessary.

8.3 The Attendance Leader and Family Support Worker

The attendance lead:

- Monitors attendance data at the school and individual pupil level
- Implements rapid response to supporting improving attendance
- Reports concerns about attendance to the Head Teacher
- Works with Education Welfare Officers to tackle persistent absence
- Arranges calls and meetings with parents to discuss attendance issues
- Works with individual pupils to explore possible reasons for low attendance
- Advises the Head Teacher when to issue fixed penalty notices
- Meets with parents, share concerns and sets targets for attendance improvement.

8.4 Class Teachers

The role class teachers take in being responsible for monitoring the attendance of their class and individuals and how concerns are raised with the child's parent and Family Support Worker in the first instance and then, if felt necessary, Senior Leaders and/or the Education Welfare Officer.

8.5 Office Staff

Office staff are expected to take calls from parents about absence and record it on the school MIS system.

9. Monitoring Arrangements

This policy will be reviewed annually.

10. Links with Other Policies

This policy is linked to our Child Protection and Safeguarding Policy.

Attendance Codes

The following codes are taken from the DfE's guidance on school attendance.

| Code | Definition | Scenario |
|------|-------------------------------|---|
| / | Present (am) | Pupil is present at morning registration |
| \ | Present (pm) | Pupil is present at afternoon registration |
| L | Late arrival | Pupil arrives late before register has closed |
| K | Local Authority provision | Pupil is in AP or attends provision as part of an EHCP |
| B | Off-site educational activity | Pupil is at a supervised off-site educational activity approved by the school |
| D | Dual registered | Pupil is attending a session at another setting where they are also registered |
| J1 | Interview | Pupil has an interview with a prospective employer/educational establishment |
| P | Sporting activity | Pupil is participating in a supervised sporting activity approved by the school |
| V | Educational trip or visit | Pupil is on an educational visit/trip organised, or approved, by the school |
| W | Work experience | Pupil is on a work experience placement |

| Code | Definition | Scenario |
|---------------------------|-----------------------------|--|
| Authorised Absence | | |
| C1 | Authorised leave of absence | For the purpose of participating in a regulated performance |
| C2 | Authorised leave of absence | Part-time timetable |
| C | Authorised leave of absence | Pupil has been granted a leave of absence due to exceptional circumstances |
| E | Excluded | Pupil has been excluded but no alternative provision has been made |
| I | Illness | School has been notified that a pupil will be absent due to illness |
| M | Medical/Dental appointment | Pupil is at a medical or dental appointment |
| R | Religious observance | Pupil is taking part in a day of religious observance |

| | | |
|-----------------------------|-----------------------------------|---|
| T | Gypsy, Roma and Traveller absence | Pupil from a Traveller community is travelling, as agreed with the school |
| Unauthorised Absence | | |
| G | Unauthorised holiday | Pupil is on a holiday that was not approved by the school |
| N | Reason not provided | Pupil is absent for an unknown reason (this code should be amended when the reason emerges, or replaced with Code O if no reason for absence has been provided after a reasonable amount of time) |
| O | Unauthorised absence | School is not satisfied with reason for pupil's absence |
| U | Arrival after registration | Pupil arrived at school after the register closed |

| Code | Definition | Scenario |
|-------------|---|---|
| X | Not required to be in school | Pupil of non-compulsory school age is not required to attend |
| Y1 | Unable to attend due to exceptional circumstances | Transport normally provided not available |
| Y2 | Unable to attend due to exceptional circumstances | There is disruption to travel as a result of a local/national emergency |
| Y3 | Unable to attend due to exceptional circumstances | Part of the school premises being closed |
| Y4 | Unable to attend due to exceptional circumstances | Whole school site being unexpectedly closed |
| Y5 | Unable to attend due to exceptional circumstances | Pupil in criminal justice detention |
| Y6 | Unable to attend due to exceptional circumstances | Unable to attend in accordance with public health guidance |
| Y7 | Unable to attend due to exceptional circumstances | Unable to attend because of any other unavoidable causes |
| Z | Pupil not on admission register | Register set up but pupil has not yet joined the school |
| # | Planned school closure | Whole or partial school closure due to Half Term/Bank Holiday/INSET day |

Local Code of Conduct for Issuing Penalty Notices for School Absence 2024

The purpose of this local code of conduct is to ensure that penalty notices for school absence are issued in a manner that is fair and consistent across Stoke-on-Trent City Council. The code sets out the arrangements for administering penalty notices in Stoke-on-Trent City Council and must be adhered to by anyone issuing a penalty notice for school absence in this area. The code complies with relevant regulations and the Department for Education's national framework for penalty notices as set out in the ['Working together to improve school attendance'](#) guidance.

Consultation

- 1 - This code has been drawn up in consultation with the headteachers and governing bodies of state-funded schools and the local police force.

Legal basis

- 2 - Penalty notices may be issued to a parent as an alternative to prosecution for irregular school attendance under s444 of the Education Act 1996. They can only be issued in relation to pupils of compulsory school age in maintained schools, pupil referral units, academy schools, AP academies, and certain off-site places as set out in section 444A(1)(b).
- 3 - The Education (Penalty Notices) (England) Regulations 2024 (and any subsequent amendments) set out how penalty notices for school absence must be used.
- 4 - A penalty notice can only be issued by an authorised officer: that is, a headteacher or a deputy or assistant head authorised by them, an authorised local authority officer or a police constable. However, in Stoke-on-Trent this will be an authorised officer from the Local Authority.
- 5 - The national framework for penalty notices is published in statutory guidance 'Working together to improve school attendance'. It provides further national guidance on the operation of penalty notice schemes for school absence in England.
- 6 - A parent includes any person who is not a parent but who has parental responsibility for the child or who has care of the child, as set out in section 576 of the Education Act 1996. Penalty notices will usually be issued to the parent or parents with day-to-day responsibility for the pupil's attendance or the parent or parents who have allowed the absence (regardless of which parent has applied for a leave of absence).

Rationale

- 7 - Research published by the Department for Education in May 2022 found pupils with higher attainment at KS2 and KS4 had lower levels of absence over the key stage compared to those with lower attainment:

- Pupils who did not achieve the expected standard in reading, writing and maths in 2019 had an overall absence rate of 4.7% over the key stage, compared with 3.5% among pupils who achieved the expected standard and 2.7% among those who achieved the higher standard.
 - Pupils who did not achieve grade 9 to 4 in English and Maths GCSEs in 2019 had an overall absence rate of 8.8% over the key stage, compared with 5.2% among pupils who achieved a grade 4 and 3.7% among pupils who achieved grade 9 to 5 in both English and Maths.
- 8 - For the most vulnerable pupils, regular attendance is also an important protective factor and often the best opportunity for needs to be identified and support provided.
- 9 - Where difficulties arise with school attendance, professionals should take a 'support first' approach in line with the DfE's 'Working together to improve school attendance' guidance, only resorting to legal enforcement when necessary. The aim is that the need for legal enforcement is reduced by taking a supportive approach to tackle the barriers to attendance and intervening early before absence becomes entrenched.
- 10 - The national framework for penalty notices is based on the principles that penalty notices should only be used in cases where:
- Support is not appropriate (e.g. a term time holiday) or where support has been provided and not engaged with or not worked, and
 - They are the most appropriate tool to change parental behaviour and improve attendance for that particular family.

When may a penalty notice for absence be appropriate?

- 11 - When the national threshold has been met: when a school becomes aware that the national threshold has been met, they must consider whether a penalty notice can and should be issued or not. The national threshold has been met when a pupil has been recorded as absent for 10 sessions (usually equivalent to 5 school days) within 10 school weeks¹, with one of, or a combination of the following codes:
- a. Code G (the pupil is absent without leave for the purpose of a holiday),
 - b. Code O (as long as no authorised codes are applicable)
 - c. Code U (the pupil attended after the taking of the register ended but before the end of the session, where no other code applies).
- 12 - Where a pupil of compulsory school age is in a public place during school hours without reasonable justification during the first 5 school days of a suspension or permanent disciplinary exclusion, under section 105 of the Education and Inspections Act 2006.
- 13 - If in an individual case the local authority (or other authorised officer) believes a penalty notice would be appropriate, they retain the discretion to issue one before the threshold is met.
- 14 - If repeated penalty notices are being issued and they are not working to change behaviour they are unlikely to be most appropriate tool. The national framework for penalty notices sets out that a maximum of 2 penalty notices per child, per parent can be issued within a rolling 3-year period. If the national threshold is met for a third time (or subsequent times) within 3

¹ A school week means any week (Monday to Sunday) in which there is at least one school session. The 10 school-week period when the national threshold applies may span different terms or school years (e.g. 2 sessions of unauthorised absence in the Summer Term and a further 8 within the Autumn Term).

years, another tool should be used. This might include prosecution or one of the other attendance legal interventions available to the Local Authority.

- 15 - For the purpose of the escalation process, previous penalty notices include those not paid (including where prosecution was taken forward if the parent pleaded or was found guilty) but not those which were withdrawn.

Key considerations prior to the issue of a Penalty Notice for school absence

- 16 - The following considerations will be made before issuing (or requesting that another authorised officer issues) a penalty notice to ensure consistency of approach:

- a. In cases where support is not appropriate (for example, for holidays in term time), these will need to be considered on a case-by-case basis:
 - 1) Is a penalty notice the best available tool to improve attendance and change parental behaviour for this particular family or would one of the other legal interventions be more appropriate?
 - 2) Is issuing a penalty notice in this case appropriate after considering any obligations under the Equality Act 2010.
- b. In cases where support is appropriate, consider on a case-by-case basis:
 - Has sufficient support already been provided? Sufficient support will usually include: pastoral interventions in school, access to toilet passes, class passes to be able to leave earlier, support via Form or Head of Year Teachers, referrals to other agencies and consideration of Early Help Intervention; as well as any other supportive measures that schools feel will be beneficial.
 - Is a penalty notice the best available tool to improve attendance and change parental behaviour for this particular family or would one of the other legal interventions be more appropriate?
 - Is issuing a penalty notice in this case appropriate after considering any obligations under the Equality Act 2010

If the answer to the above questions is 'yes', then a penalty notice (or a notice to improve in cases where support is appropriate) will usually be issued.

Notice to improve

A notice to improve is a final opportunity for a parent to engage in support and improve attendance before a penalty notice is issued. If the national threshold has been met and support is appropriate but offers of support have not been engaged with by the parent or have not worked, a notice to improve should usually be sent to give parents a final chance to engage in support.

- 17 - An authorised officer can choose not to use one in any case, including cases where support is appropriate, but they do not expect a notice to improve would have any impact on a parent's behaviour (e.g. because the parent has already received one for a similar offence).
- 18 - These notices to improve will be issued jointly by the Local Authority and the School.
- 19 - Schools will request for a notice to improve to be sent from the Local authority and will provide accurate and up to date attendance information to support the request.

- 20 - Where Schools have an SLA in place with the Local Authority this notice to improve can be signed by their traded officer; if they do not the requests for notices to improve will come into the Local Authority and be processed accordingly with the Manager of the EWS Team adding their signature.,
- 21 - The length of the improvement period to be cited in the notice to improve will be 20 school days.
- 22 - The LA can if it wishes to use a flexible improvement period so that it can be varied in individual cases.
- 23 - Sufficient improvement will be no further unauthorised absences in the improvement period.
- 24 - During the improvement period, monitoring will take place either by the school themselves or by their traded officer in line with their SLA agreement.
- 25 - Should no sufficient improvement be made during the notice to improve period then consideration will be given to the issuing of a Penalty Notice.

How authorised officers will work together

- 26 - Authorised officers should work together to ensure that penalty notices are used when likely to be effective and change behaviour.
- 27 - An authorised officer is a Head Teacher or someone authorised by them (a deputy or assistant head), a local authority officer or the police. The LA should set out which authorised officers will issue penalty notices in their area. In Stoke-on-Trent City Council this will be a Local Authority Officer.
- 28 - Where the school or police request that the LA issues the penalty notice, they need to:
- Have ascertained that either supportive measures are not appropriate (for example leave of absence in term time) or have not had the desired impact.
 - Have issued a notice to improve letter they do not expect a notice to improve would have any impact on a parent's behaviour (e.g. because the parent has already received one for a similar offence).
 - Have provided the L.A with all appropriate documentation including evidence of any support offered and accurate attendance information.
- 29 - The authorised officer prior to issuing the penalty notice will consider whether proportionate support has been provided and whether that support has worked or not. Where there is dispute, authorised officers are expected to defer to the Local Authority's judgement about whether sufficient support has been provided before issuing a penalty notice.
- 30 - The LA will inform the school about whether penalty notices are paid, withdrawn or prosecuted for non-payment.

- 31 - Where pupils move between Local Authority areas, **Stoke-on-Trent City Council** can be contacted on crossborder.penaltynotice@stoke.gov.uk to find out if penalty notices have been issued previously.
- 32 - Where pupils attend school in **Stoke-on-Trent City Council**, but live in a different LA, Stoke-on-Trent City Council will inform the home authority via the cross-border email address as detailed above.

Holiday Request Form

Exceptional Leave of Absence Request

This form should be completed, in advance of the proposed period of absence, by the parent or carer with whom the child normally resides. In line with Government and Local Authority guidance, all leave requests will be dealt with at the discretion of the Head Teacher. Please refer to the guidance overleaf.

I wish to apply for leave of absence from school for my child:

Name of Child: Class:

First day of leave requested: Last day:

Number of school days involved:

Do you have siblings at another school? YES / NO

Name of School:

Exceptional circumstances leading to request:

.....

Signed(Parent/Carer) Date

Parent/Carer email for decision response:

The above leave is authorised / not authorised (delete as applicable), in accordance with the school's procedures.

Signed **Date**
(Head Teacher)

Please return 4 weeks prior to the proposed absence. Parents or carers will receive a letter of response in accordance with the school's policy and procedures with regard for a request for leave in term time.

This is an example of the number of lessons your child will miss. Remember these lessons will not be repeated.

1 day absence - 6 lessons missed
3 day absence - 18 lessons missed
1 week absence - 30 lessons missed
2 weeks absence - 60 lessons missed

SCHOOL NAME

The School's Attendance Target is 97% and we expect all of our pupils to meet this.

Please note that the school **does not** authorise holidays taken during term time unless in 'exceptional circumstances.' (See Attendance Policy). Regular attendance is an important factor in your child's performance at school. Please think carefully before deciding to request Leave of Absence. **Please note that the school must receive the Leave of Absence Request form 4 weeks prior to the start of the leave of absence.**

Procedures

- Application of exceptional absence should be requested **4** weeks before the proposed absence. A meeting with the Head Teacher and/or Family Support Worker should be made at this point.
- Should you decide to take your child/ren out of school during term time, the absence will be recorded as 'unauthorised'. In line with legislation and our School's Attendance Policy unauthorised leave of absence will result in a Penalty Notice Warning Letter being issued. Holidays in previous academic years can also be used as evidence towards such a prosecution. Please be advised that parents who fail to ensure their child's regular attendance can be fined £80 (per parent, per child). If payment to the Local Authority is not made within 21 days (of a penalty notice being issued) the penalty will rise to £160 (per parent, per child). Non-payment of the Penalty Notice results in automatic prosecution in the Magistrates Court.
- As a multi-cultural school/authority we allow one day for "Eid Ul Adha" and one day for "Eid El Ftr": the registers will be marked with the coding "R" (leave of absence for religious observance in respect of other denominations will be granted on application, following advice taken from the relevant advisory authority).
- If a child is absent from school for more than 20 days the pupils will be taken off roll.
- Authorisation will only be granted in exceptional circumstances.
- If an Exceptional Leave of Absence form has not been completed but the Head Teacher has sufficient evidence that the child has been absent from school due to an unauthorised leave of absence then the Head Teacher will record and provide this evidence.

FOR SCHOOL USE

(A copy can be requested by the parent – to be kept on file and information noted on computerised systems)

Attendance %

(10 day's absence will result in an attendance level below 95%; that is assuming that there are no other absences.)

Previous Holiday Leave this Academic Year

Yes/No

Number of days

Previous Holiday Leave in Previous Academic Year

Yes/No

Number of days

Meeting with Parent/Carer Completed

Yes/No

Date:

Request Authorised - Yes/No

Evidence Supplied – Yes/No

Please also note any mitigating circumstances for the family if applicable

