

Beverley St Nicholas CP School
Attendance and Absence Policy

Introduction

All parents are responsible for making sure that their children of compulsory school age receive a suitable full-time education. This can be by regular attendance at school, at alternative provision, or otherwise (e.g, the parent can choose to educate their child at home). A child reaches compulsory school age the term after their fifth birthday (Section 7 Education Act 1996).

Definition of a parent

A parent means:

- All natural parents, whether they are married or not;
- Any person who has parental responsibility for a child or young person; and,
- Any person who has care of a child or young person i.e. lives with and looks after the child.

The local authority and school will need to decide who comes within the definition of parent in respect of a particular pupil when using the legal measures, but generally parents include all those with day to day responsibility for a child.

Policy Aims

To promote regular attendance of all our pupils and our aim is to achieve an overall school attendance of at least 96% throughout the academic year.

Apply the attendance policy consistently.

To have procedures in place for registration and attendance, in order to ensure pupils safety.

To work closely with the East Riding Education Welfare Service, following and implementing their guidance.

Promote attendance in school by displaying attendance for each registration group.

Hold celebration assemblies and present certificates.

To promote punctuality of pupils arriving on time ready for learning.

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Procedures

Registration is taken at the beginning of each morning and afternoon session. Computerised records are updated twice per day using the DfE codes.

Pupils arriving after 9.00am but before 9.15am will be recorded as code 'L' and after 9.15am with a 'U'.

Parents are required to contact the school as soon as possible to report absences, we do have a message service if the school office is closed or staff are busy. We are unable to accept illness as a reason, please give symptoms of illness. Medical appointments should be made outside of school hours, if unable to attend these appointments supported by evidence where possible and a copy taken by the office staff.

If parents do not contact the school to report absence, the office staff will telephone by 9.30am to ascertain why the pupil is not at school.

Monitoring under 96% attendance takes place every fortnight and parents will be invited to a meeting to discuss any concerns. Action plans will be used to help support and improve attendance.

Letters will be sent out termly if attendance is below 96%, this applies to all pupils even if the absences have been discussed with the school and evidence provided. This is recommended as good practice by Ofsted.

Attendance under 90% with no supporting evidence, and no improvement following school meetings/action plans, will be referred to Education Welfare Service.

Penalty Notices can be issued for absences that fall in the categories listed in the guidance.

Submit reports to the Governing Body on various aspects of pupil attendance.

Punctuality will be recorded and monitored alongside attendance. Class teachers will talk about the importance of this to pupils. Meetings with parents will be arranged for pupils with persistent lateness.

Term Time Holiday and Absence from School for Exceptional Circumstances

You are required under the Education Act (1996) to ensure your child attends school regularly. There is, however, a discretionary power held by Headteachers to authorise absence in exceptional circumstances. Please note this is not an entitlement. The Headteacher will only authorise absence in line with the East Riding Behaviour & Attendance Partnership 'Absence from School for Exceptional Circumstances' Policy.

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Headteachers will not authorise absences if they believe it is to the detriment of a child's education. **Please note that supporting documents to aid decision making must be submitted at the time of your request for absence.**

There is no longer a provision in law for Headteachers to authorise an absence for the purpose of a term time holiday. All requests must be made using the exceptional circumstances form including term time family holidays, forms are available on the schools website or from the school office.

If your request is authorised, you are required to ensure your child catches up on any missed school work. This is your responsibility and school are not obliged to provide work for your child to complete. Any unauthorised absence will be recorded on your child's attendance records. This may result in legal proceedings against you, either through a Penalty Notice or the Magistrates' Court.

Penalty Notices

Under the Anti Social Behaviour Act (2003) the local authority and schools have statutory powers to tackle poor school attendance and/or unauthorised absences. An unauthorised absence is any absence that the Headteacher has not given permission for or where an explanation has not been provided by the parent. If your child accrues 10 sessions of unauthorised absence you may be liable for a penalty notice (one days absence equals two sessions and a five day absence is equal to 10 sessions etc.).

Penalty Notices will be used as a deterrent to prevent a pattern of unauthorised absences developing. They will be issued by post direct to the home of a parent after possibly just one warning, or in the case of absences without acceptable cause, warnings may not be given. This includes pupils caught on truancy sweeps, persistent late arrival after the close of registration or **unauthorised absence that has not been authorised as an absence from school for exceptional circumstances**. In these cases the warning is given on the absence request form and detailed within this information leaflet and no written warning will be given. Where parents do not follow school procedures of submitting a request and simply remove their child without seeking prior approval, a warning may not be given. Parents must complete a request for exceptional leave form and submit this to the school, allowing for sufficient time to enable the school to consider the request and inform the parent of the decision.

Fines are issued for unauthorised absence of 5 or more days and each school day is divided into 2 registration periods. **For example if your child is absent for one day this equals 2 sessions and a five day absence is equal to 10 sessions.**

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If your request is declined and you still take your child out of school each parent within your household may be issued with a £60 penalty notice for each child you have taken out of school. If a penalty notice remains unpaid after 21 days it will increase to £120. If after 28 days it remains unpaid you may be summonsed to appear before Magistrates to explain why your child has unauthorised school absences and you may be liable for a fine of up to £1000.

Support and guidance on attendance is always available and if you have any questions about this, or if you need help to achieve an improvement, please contact your child's school to discuss this.

We advise that you do not plan for your child to be absent from school without gaining prior agreement from their school first. Headteachers cannot retrospectively authorise absence from school under any circumstance.

Penalty Notices

- **The Anti Social Behaviour Act 2003**

Section 23 of the Anti Social Behaviour Act gives powers to the local authority and other designated bodies to issue penalty notices where a parent has failed to ensure their child of compulsory school age attends school regularly. Examples provided by the Department for Education include:

- Where absences have not been authorised by the school
- Where parents allow their child to be present in a public place during the first five days of an exclusion
- One off incidences of irregular attendance such as holidays taken during term time without the schools permission.

- **Why are Penalty Notices issued?**

Reducing absence from school is a key priority nationally and locally because missing school may damage a child's attainment levels, disrupts school routines and the learning of others and could possibly leave a pupil vulnerable to anti-social behaviour and youth crime.

Above all, missing school can affect a child's life opportunities.

- **What is a Penalty Notice?**

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

A penalty notice, if paid in full, is an alternative to prosecution and does not require an appearance in court, thus enabling you to discharge potential liability for conviction.

- **What are the costs?**

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Payment within 21 days of receipt of a penalty notice is £60 which will increase to £120 if paid after 21 days, but within 28 days.

• **Who is liable?**

Parents, defined as:

- All natural parents, whether married or not;
- Any person who has parental responsibility; and,
- Any person who has care of a child or young person (lives with and looks after)

So in short if you live with a child and take on a caring role for that child and you are over 18, you are responsible for their school attendance and therefore liable for a fine should you meet the criteria.

• **When are they used and will a warning be given?**

East Riding of Yorkshire Council 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, for example:-

A Penalty Notice may be issued in the following circumstances	Is a warning given?
1. Unauthorised absence from school, where a pupil has accrued 10 or more unauthorised absence sessions (two sessions per school day) spread over a 13 week period.	A formal warning is issued to inform parents that if further unauthorised absences occur within the following 15 school days from the date of the letter a penalty notice will be issued.
2. Unauthorised absence from school, where a pupil has accrued 10 or more consecutive unauthorised absence sessions (two sessions per school day) and the parent did not follow the schools request for 'Absence from School in Exceptional Circumstances' procedure.	Parents will be made aware of the school's policy by the school in the schools newsletter. This is the warning of potential liabilities for penalty notices.
3. Where a parent takes their child out of school and the child accrues 10 or more consecutive unauthorised absence sessions (two sessions per school day), when the parent has followed the request for 'Absence from School in Exceptional Circumstances' procedure. Following the procedure gives the parent the opportunity to provide evidence to support their application.	Parents should follow the procedure for requesting exceptional leave set down by their child's school. Parents will be made aware of the school's policy by the school; this may be in the schools newsletter but will also be included on the 'Absence from School for Exceptional Circumstances' request form. These are the warnings of potential liabilities for penalty notices.
4. Where a child is found by a police officer or a police and community support officer, unsupervised by an adult in a public place	Parents are advised in the exclusion letter sent from their child's school that their child should not be in a public place during the first five

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during the first five days of a fixed term or permanent exclusion from school.	days of the exclusion and that should their child be found in a public place, a penalty notice may be issued.
5. Overt truancy, where a child has been found out of school during school hours without permission. This can be during an organised truancy sweep or where found by a police officer or police and community support officer whilst carrying out their daily duties	On receipt of a referral from the police or when a child has been found truanting from school, the local authority will consider the child's overall school attendance. If the child has accrued 10 or more sessions of unauthorised absence within the last 13 weeks an immediate penalty notice will be issued.

In each case you will be informed of the extent of your child's unauthorised absence from school. There is no limit to the number of times a formal warning may be given of the possibility of a penalty notice being issued, though the local authority will restrict the issuing of penalty notices to two per parent for each of their children in any one academic year (September to July).

- **How are they issued?**

By post to your home address.

- **How do I pay?**

Details of payment arrangements will be included on the penalty notice invoice. You need to be aware that payment by instalment is **not** an option. A withdrawal of the penalty notice can only be made in the following circumstances:-

- If it should not have been issued
- Issued outside of the Code of Conduct for Education Penalty Notices
- If the penalty notice contains material errors
- The penalty notice may be withdrawn if it is not paid in full, and the local authority does not intend to, instigate legal proceedings against you
- The penalty notice may be withdrawn following successful prosecution for the original offence of unauthorised absence from school

- **Is there an appeal process?**

If you receive a warning and you do not think this is correct you should take this up with the issuer of the warning. Once a notice has been issued there is no right of appeal.

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

You have up to 28 days, from the date of the letter sent with the invoice, to pay the penalty notice in full. After 28 days, if the fine remains unpaid, the local authority is required under the Act to consider proceedings in the Magistrates' Court for the original offence of unauthorised absence from school by your child.

If proven, this can attract a range of fines up to £1,000 and/or a range of disposals such as Parenting Orders or Community Sentences depending upon circumstances.

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- **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 of the penalty notice discharges you of the offence for the period in question and you cannot subsequently be prosecuted under other enforcement powers for the period covered by the penalty notice. However it may be the case that a prosecution might be considered for further periods of poor attendance not covered by the penalty 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 the education welfare service.

- **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 to help you fulfil your responsibility 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.

Useful contact:

Education Welfare Service
County Hall
Beverley
HU17 9BA
Tel No: 01482 392146
Email: education.welfare@eastriding.gov.uk

Other Policies/Guidance

Child Employment Application
Child Employment Concern Notification
Notification of Elective Home Education
Reintegration Contract
Absence from School for Exceptional Circumstances Information for Parents
Absence from School for Exceptional Circumstances Request Form
Penalty Notice Guidance to Parents
Penalty Notice Code of Conduct
Guide for Parents – Medical Appointments and Illness

All above available on school website or ERYC website
www2.eastriding.gov.uk/learning/schools-colleges-and-academies/school-attendance/