

THIRSK COMMUNITY PRIMARY SCHOOL

ATTENDANCE POLICY



School Vision

To develop confident young people who enjoy learning and strive to achieve the best. Together, we will provide each pupil with a safe and caring school community that promotes fairness, tolerance and respect.

SEE: Success - everyone, every day

Introduction

This policy provides a framework and guidance for staff and parents to promote pupils' regular and punctual attendance at school, so that they can take advantage of the educational opportunities available and thereby reach their full educational potential. High attainment depends on good attendance.

This policy should be read in conjunction with the NYCC Children Missing in Education Protocol adopted by the governors in July 2019

Aims

To work in partnership with parents / carers to:

- ensure that all statutory guidance for attendance is in place and is understood by all stakeholders.
- address situations which may impact upon attendance in order to ensure that the best possible levels of attendance can be achieved.
- remove any barriers to poor attendance and the resulting impact on pupils' life chances at the earliest possible opportunity.
- promote high levels of attendance and promote an understanding of the connection between excellent attendance and high achievement.
- ensure that all pupils have the opportunity to attend school feeling safe and secure.

Attendance Procedures

Registration

It is important that pupils are punctual and arrive prepared for the day's learning. Registration takes place twice each day. Morning registration begins at 8.50am and afternoon registration begins at 12.45pm for infant pupils and 1.00pm for KS2 pupils. Registers are marked electronically using the school's eschools portal, according to the agreed symbols, see Appendix 1. Once completed, registers are printed daily by the office staff for reference during emergencies. In the event of electronic failure, paper registers are used.

Registers close at 9.15am and 1.00pm (infant pupils) / 1.15pm (KS2).

Children arriving between 9.00 and 9.15am are given a late mark at the office. Reasons for lateness are recorded in the late file and are reviewed regularly by the Deputy Headteacher and the Learning Mentor who will arrange to meet with parents or guardians to address any patterns which arise.

Reporting of Absence

It is the duty of parents / carers to inform the school if a child is to be absent from school. Parents / Carers are asked to do so by 8.50am **each day** that a child is unwell and will not be attending school. Planned absences due to medical appointments should also be communicated to the school, with evidence being produced. It is recommended that any such appointments be made outside of school hours, if at all possible.

Following the closure of registration, if a child is absent without reason, parents are immediately contacted by office staff, as part of the school's safeguarding procedures. If no contact can be made, a letter is sent to

parents / carers asking for school to be informed of the reason for the child's absence. Where pupils are absent on consecutive days and parents have not informed school each day that the illness is ongoing, the school will contact parents / carers on each day of absence, as part of its safeguarding procedures. The school continues to pursue 'N' absence codes until a satisfactory reason is provided. If no reason is given prior to the termly census collected by the Local Authority, the absence will be deemed unauthorised and will appear on the child's record as such.

Absence can only be authorised if:

- the pupil is ill or attending a medical appointment (Proof of appointment required)
- the pupil is absent with leave having been granted by the school
- there is a family bereavement
- the pupil is attending a religious festival

Unauthorised absence is when:

- no explanation is forthcoming from the parent / carer
- the school is dissatisfied with an explanation
- the pupil is absent for unexceptional circumstances such as birthdays, shopping trips or holidays.

Punctuality

Pupils are expected to arrive at school on time each day. If they are late, it is disruptive to their own education and that of others in their class. Pupils who are persistently late, will be considered in the same way as others with patterns of persistent absenteeism.

Roles and Responsibilities

The Headteacher will ensure that:

- Pupils are registered accurately and efficiently.
- Parents or carers are contacted when reasons for absence are unknown or unauthorised.
- Pupil attendance and lateness are monitored regularly.
- A reward system for good attendance is implemented.
- School attendance statistics are reported to the LA and governing body.
- Pupils absent for long periods of time because of ill-health, receive appropriate learning support.

The Deputy Headteacher will ensure that:

- any attendance giving cause for concern is raised with parents / carers and an improvement plan is implemented.
- persistent absenteeism (pupils whose attendance falls at or below 90%) is monitored closely and an improvement plan is implemented jointly with parents / carers.
- support is sought from appropriate agencies, e.g. the Prevention Service, in order to effect an improvement in attendance for pupils giving cause for concern.
- liaison takes place with the Learning Mentor with regard to individual pupil attendance concerns.
- data is shared with the Local Authority, as necessary.

All teachers will ensure that:

- registers are completed accurately and promptly.
- attendance rates are shared with parents at parent consultation meetings.
- they promote good attendance by liaising with parents when a pupil's attendance falls below 93%.
- they inform the Deputy Headteacher if there is a problem that may lead to absences.

All parents / carers are expected to:

- ensure children attend school regularly and punctually.

- inform the school office of the reason for any absence by 8.50am on the first and subsequent days of absence.
- discuss planned absences with the school in advance.
- work closely with the school to resolve any concerns regarding their child's rate of attendance.
- arrange medical and dental appointments outside of school hours, wherever possible.

The Governing Body will:

- receive termly reports on attendance
- monitor the effectiveness of the policy

Monitoring and Evaluating Attendance

The Headteacher will provide data on pupil attendance on a termly basis. Data is evaluated together with the governing body to decide what action, if any, needs to be taken.

The Deputy Headteacher monitors individual pupils' attendance on a weekly basis. Pupils whose attendance rate is between 90 - 93% are monitored closely and parents are informed in writing that their child's attendance rate is giving cause for concern. Where a pupil's attendance is at the persistent absentee rate of at or below 90%, the Deputy Headteacher invites parents to a meeting in order to discuss reasons for absences, and to plan to improve attendance within a specified time limit, usually 4 weeks. Should difficulties persist, a referral will be made to the Prevention Service. Where there are ongoing medical concerns, the school will seek parental consent to involve the Healthy Child Team in supporting an improvement in attendance. In the first half of the Autumn term, flexibility is necessary due to the anomalies of calculating percentages.

Pupils' attendance is rated:

- Excellent: above 98%
- Good: above 96%
- Satisfactory: 95%
- Causing concern: 94% and below
- Persistent Absentee: below 90%

Celebrating Good Attendance

An attendance award is presented weekly in assembly. The class with the highest attendance receives the Attendance Trophy to display in their classroom, and is given an Attendance Ten award (a token for 10 minutes, which the class can use as they choose). The school's weekly attendance rate is published on the newsletter. Each half term, pupils who have 100% attendance receive an award. Those who achieve 100% for the whole year receive an additional award at the awards presentation in July. Additional incentives are used to maintain a high profile for attendance.

Long Term Absences

Where a pupil is unable to attend school for an extended period of time, the school will work closely with their parents / carers to ensure that work is provided by the class teacher so that the pupil does not fall behind peers. Where necessary, an individual reintegration plan will also be created. This plan may include a phased return. In such circumstances, the school will also work closely with other agencies e.g. the school nurse or the SENCO.

Request for Leave of Absence

Parents are requested to complete a 'Leave of Absence' form which is available from the school office, if they need to make a request for leave during term time. See Appendix 2.

Equal Opportunities This policy applies equally to all children irrespective of age, ability, race, gender or disability. However, in some circumstances, the individual needs of some groups of children will be taken into account when monitoring their attendance, e.g. children with medical needs.

Appendix 1

Absence Codes

B	Educated off-site
C	Leave of absence authorised by the school
D	Dual Registration
E	Excluded
F	Extended Family Holiday (agreed)
G	Family Holiday (not agreed or days in excess of agreement)
H	Family holiday (agreed)
I	Illness (not appointments at dentist etc.)
L	Late (before register closes)
M	Medical/Dental/Sickness/Treatment
N	No reason provided
O	Unauthorised (not covered by other codes)
P	Approved sporting activity
R	Religious observance
S	Study leave (not normally applicable to primary phase)
T	Traveller Absence
U	Late (after registers close)
V	School journey/educational visit
W	Work experience (not normally applicable to primary phase)
X	Non-compulsory school age non attendance
Y	Unable to attend due to exceptional circumstances
Z	Pupil not yet on roll
#	School closed to pupils

Appendix 2

North Yorkshire Penalty Notice Code of Conduct

1. Legal Basis

Irregular Attendance

Under Section 23 of the Anti-Social Behaviour Act 2003, the Education Act 1996 was amended with the introduction of 2 new subsections under Section 444 (subsections 444A and 444B) which make it possible for Penalty Notices to be used as an alternative to prosecution in cases of unauthorised absence from school.

Exclusions

Section 103 of the Education and Inspections Act 2006 places a duty on parents in relation to an excluded pupil. A parent has to ensure their child is not present in a public place during school hours, without reasonable justification, during the first five days of each and every fixed term or permanent exclusion. Section 105 allows for a Penalty Notice to be given to a parent guilty of an offence under Section 103 of the Act.

The issuing of **all** Penalty Notices must conform to the requirements of the Human Rights Act and all Equal Opportunities legislation.

2. Rationale

The Local Authority (LA) has the responsibility, as determined by the Department for Education (DfE) for developing the Code of Conduct within which all partners named in the Act will operate. This is a requirement of the School attendance parental responsibility measures – Statutory guidance for local authorities, school leaders, school staff, governing bodies and the police (DfE January 2015).

Although the regulations make provision for a Head teacher (or other nominated school staff), the Police and the LA to issue Penalty Notices, it is a requirement of the LA's Code of Conduct for the use of Penalty Notices that procedures are consistently applied and enforcement action is not duplicated.

In order to support compliance with this requirement, and that any subsequent court action can be integrated within existing arrangements, this protocol places the main responsibility for issuing Penalty Notices with North Yorkshire Local Authority. The Authority will administer the scheme for all schools in its area, including academies and free schools.

Sanctions are never used as a punishment, only as a means of enforcing attendance where there is a reasonable expectation that it will secure an improvement. Parents and pupils are supported to overcome barriers to regular attendance at school through a wide continuum of assessment and intervention strategies delivered by the school, the LA's Prevention Service and other agencies. Sanctions of any nature are for use, therefore, only where parental co-operation in this process is either absent or deemed insufficient.

3. Circumstances where a Penalty Notice may be issued

Irregular Attendance

A Penalty Notice for irregular attendance can only be issued in cases of **unauthorised** absence. No parent will receive more than two separate Penalty Notices resulting from the unauthorised absence of an individual child in any twelve-month period. In cases where families contain more than one poor-attending pupil, multiple issue may occur. This will be the subject of careful consideration and co-ordination.

There will be no restriction on the number of times a parent/carer may receive a formal warning of a possible Penalty Notice. This is in the form of a letter stating that if further unauthorised absence occurs within 15 days of the letter being received, a Penalty Notice will be issued (*not required for unauthorised leave of absence i.e holiday in term time – see Section 5*).

The issuing of a Penalty Notice is considered appropriate in the following circumstances:

- Parentally-condoned absences including unacceptable reasons for absence (e.g. too tired after a late night, birthday treat)
- Leave of absence taken but not agreed as exceptional circumstances by the Head teacher when requested in advance e.g. for a family holiday
- Excessive delayed return from agreed leave of absence without prior school agreement
- Persistent late arrival at school recorded as unauthorised absence (after the close of registration).

Exclusions – see Section 6

4. Procedure for issuing Penalty Notices for Attendance (*excluding unauthorised leave of absence (holiday) in term time – (see Section 5)*)

A Penalty Notice is issued as an alternative to a prosecution through the magistrates courts. The LA will issue Penalty Notices to achieve consistent and equitable delivery and allow cohesion with other enforcement sanctions. Penalty Notices will only be issued by post. This is to satisfy that all evidential requirements are in place and to meet Health and Safety requirements.

A Penalty Notice can be issued when the following criteria is met:

- There has been a prior referral made to the Prevention Service for support
- A formal School Attendance Procedure (fast track) has been implemented by the school
- All relevant information has been submitted to the LA in the specified manner
- A PACE Formal Caution Interview has been held with a decision made to issue a Penalty Notice Warning letter and further unauthorised absence has occurred within the time scale
- Ability to pay is set against improving attendance by the issuing of a Penalty Notice (PN's, unlike a prosecution, are not means tested - this to include any cases of possible multiple issue to any one family)
- The issue of a Penalty Notice does not conflict with other intervention strategies in place or other enforcement sanctions already being progressed
- The circumstances of the pupil's absence meets all the requirements of this Code of Conduct

Where the criteria is met and it is established that an offence under Section 444 of the Education Act 1996 has been committed the LA will:

- Issue a formal written warning to the parent/carer of the possibility of a Penalty Notice being issued
- In the same letter set a period of 15 school days commencing 3 school days following dispatch of the Warning Letter within which the pupil must have no unauthorised absence (to be sent by 1st Class Post)
- Issue a Penalty Notice through the post at the end of the 15 day period if there has been further unauthorised absence recorded
- If the Penalty notice remains unpaid and there are no conditions met to warrant withdrawal, the LA will progress a prosecution through the Magistrates Courts for the offence of failing to ensure the child's regular attendance at school. (Not regarding the non-payment of the fine although this will be used in evidence)

Documents required by the LA in the event of non-payment of the fine:

The following should support a minimum of a prosecution under s444 (1) of the Education Act 1996; Level 3 offence of up to a £1,000. (It would be unlikely the LA would pursue a prosecution under s444(1A) - Level 4 'aggravated' offence - up to £2,500 and/or 3 months imprisonment, in instances where a Penalty Notice has been offered as an alternative to a prosecution).

Certificate of Attendance - completed and signed by the Head teacher evidencing the unauthorised absence

Witness Statement - supporting written evidence completed and signed by the Head Teacher/school practitioner including evidence that the school has supported the family to improve their child's attendance, e.g. home visits, meetings in school, formal School Attendance Procedures (fast track) implemented and referral to the Prevention Service and/or other agencies.

Documentation should provide evidence that the parent has not engaged with the support offered and has continued to fail to exercise their legal responsibility to ensure their child's regular and punctual attendance at their educational placement.

NB: If a not guilty plea is entered by the parent then the initial hearing would be adjourned to prepare for trial when the Head teacher and or practitioner (s) may be summoned to give oral evidence regarding the unauthorised absence.

5. Procedure for Issuing Penalty Notices for unauthorised leave of absence (Holiday) taken in term time

Amendments to the Education (Pupil Registration) (England) Regulations 2006 removed references to 'family holiday' and 'extended leave' as well as the statutory threshold of 'ten school days'. The amendments make clear that head teachers may not grant any leave of absence during term time unless there are exceptional circumstances (*requests for holidays in term time would not normally meet the criteria*).

The issuing of a Penalty Notice applies only to the deliberate taking of leave of absence in term time, where 1) the Head teacher has deemed on application that the reason given did not meet the criteria for exceptional circumstances and 2) where it can be clearly demonstrated that the parent/carer understood that permission had not/would not be given. (*If parents have not applied in advance then, by default the absence is not agreed, as leave of absence cannot be approved retrospectively*).

If the leave of absence is agreed, the Head teacher should determine the number of school days a child can be away from the school. Any leave taken in excess of this period is deemed in itself to be an unauthorised absence and can be liable to a Penalty Notice being issued if the above criteria are met.

The school can contact the LA to request the issue of a Penalty Notice, if there have been at least 10 sessions of unauthorised absence in the preceding four months. All relevant documentation should be sent to the safeguardingunit@northyorks.gov.uk preferably no more than two weeks following the taking of the unauthorised leave. The following documentation needs to be submitted:

- **Certificate of Attendance (Unauthorised Leave)** - for the period in question completed and signed by the Head teacher. This may straddle two academic years
- **Witness Statement** - completed and signed by the Head teacher
- **Leave of Absence Application Form** - if available
- **Letter of refusal to the parent** - if available

Where a parent fails to pay a Penalty Notice issued in these circumstances, the LA will pursue a prosecution of the parent under the Education Act 1996 s444 (1) and will present the case in court. The evidence provided by the Head teacher will be laid before the magistrates regarding the unauthorised absences.

6. Procedure for Issuing Penalty Notices for Exclusion (fixed term or permanent)

A parent/carer is required to ensure that their child is not present in a public place during school hours, without reasonable justification, during the first five days of each and every fixed period or permanent exclusion. A public place means any highway or any place to which the public have access.

N.B: *School premises are not a public place for this purpose (Section 547 Education Act 1996).*

A Penalty Notice enables the parent to pay a fine as a way of discharging liability for the offence of failing to ensure that their child is not present in a public place on the days specified in the notice given to them by the school. The parent must have been notified of their duty by the school at the time of the exclusion and the days to which it relates.

In order for the LA to issue a Penalty Notice, evidence would be required, either through eye witness testimony in the form of a Witness Statement, or proven evidence from a CCTV system.

The following documentation is required to be submitted to the LA:

- **Proof of notification** to parent/carer(s) and the means of delivery as above
- **Witness Statement** including evidence of where the child was seen and the parent/carer(s) having no reasonable justification for their child being in a public place

7. Payment of Penalty Notices

Penalty Notices are issued per child per family. Arrangements for payment will be detailed on the back of the Notice. Payment discharges the parent's liability for the period in question and he/she cannot subsequently be prosecuted for the period covered by the Penalty Notice.

Payment of a Penalty Notice within 21 days is £60 and payment after 21 days but within 28 days is £120. Part payments will not be accepted.

There is no formal right of appeal by parents against a Penalty Notice. If the penalty is not paid in full by the end of the 28 day period, the local authority must decide either to prosecute for the original offence to which the notice applies, or withdraw the notice. (See Section 8)

The LA retains any revenue from Penalty Notices in order to cover the administration costs of the scheme.

8. Procedure for withdrawing Penalty Notices

Once issued, a Penalty Notice can be withdrawn for the following reasons:

- The Penalty Notice has been issued outside the terms of this Code of Conduct
- The Penalty Notice ought not to have been issued or issued to the person named as the recipient
- It appears that the Notice contains material errors
- Where after the expiry of 28 days the penalty is unpaid and the LA does not wish to bring legal proceedings under s444 of the Education Act 1996

9. Non-payment of Penalty Notices

Non-payment of a Penalty Notice will trigger the prosecution process under the provisions of the Education Act 1996 s444, if none of the criteria set out in Section 8 applies.

Reminder letters will be sent to the parent/carer(s) when the LA is considering or intends to pursue legal action following non- payment of the fine within the required time scale.

10. Policy and Publicity

The utilisation of Penalty Notices as a sanction will be included in the LA's School Attendance - Advice and Requirements of all schools for consideration of Legal Enforcement by the Local Authority. All School Attendance Policies will need to include information on the utilisation of Penalty Notices and this will be brought to the attention of all parent/carer(s).

11. Reporting and Review

The LA will review the use of Penalty Notices at regular intervals. An annual monitoring report will be made to the Executive Members.

Contacts:

Julie Parrish (Attendance and Enforcement Officer)

Tel: 01609 798013/ 07772096982 or e-mail: julie.parrish@northyorks.gov.uk

Kate Flinton (Attendance and Enforcement Officer – Scarborough, Filey, Whitby and Ryedale areas only)

Tel: 01609 797232/07794072363 or e-mail: kate.flinton@northyorks.gov.uk

All documentation for Penalty Notices regarding unauthorised leave for a holiday in term time should be forwarded by e-mail to safeguardingunit@northyorks.gov.uk or by post to Rm SB114, Safeguarding Unit, County Hall, Racecourse Lane, Northallerton, DL7 8AD

Last Review date – July 2023

Next Review date- July 2024