

Swanwick Primary School Attendance Policy

Introduction

Regular school attendance is essential if children are to achieve their full potential. At Swanwick Primary School, we believe that regular school attendance is the key to enabling children to maximise the educational opportunities available to them and become emotionally resilient, confident and competent adults who are able to realise their full potential and make a positive contribution to their community.

At Swanwick Primary School all pupils are valued. As set out in this policy, we will work with families to identify the reasons for poor attendance and try to resolve any difficulties. We recognise that attendance is a matter for the whole school community. Our Attendance Policy should not be viewed in isolation; it is a strand that runs through all aspects of school improvement, supported by our policies on safeguarding, bullying, behaviour and inclusive learning. This policy also takes into account the Human Rights Act 1998, the Disability Discrimination Act 1995 and the Race Relations Act 2000.

Holiday Policy Statement

In September 2013 the Education (Pupil Registration) (England)(Amendment) Regulations 2013 came into force. These regulations make it clear that Headteachers should not grant approval for any leave of absence during term-time, including holidays, unless there are exceptional circumstances. These regulations also state that holidays cannot be authorised retrospectively. Any requests should be on an official school absence request form and handed into the school office for consideration prior to any holiday/leave arrangements being made. You may be issued with a Penalty Notice should leave be taken which is not authorised. If unpaid this could lead to prosecution under section 444(1) of The Education Act 1996.

We are working in conjunction with DFE - Working together to improve school attendance Published May 2022

<https://www.gov.uk/government/publications/working-together-to-improve-school-attendance>

1.The Legal Framework

Section 7 of the 1996 Education Act states that parents must ensure that children of compulsory school age receive efficient full-time education suitable to their age, ability and aptitude to any special educational needs they may have, either by regular attendance at school or otherwise. A child is of Compulsory School Age at the beginning of the term following their 5th birthday, under the Education Act 1996, the Local Authority has a statutory responsibility to ensure that parents secure education for children of compulsory school age and where necessary, use legal enforcement. The Education (Pupil Registration) (England) Regulations 2006, require schools to take an attendance register twice a day, once at the start of the morning session and then again during the afternoon session. 3 The register must record whether the pupil was:

- present;
- absent;
- present at approved educational activity; or
- unable to attend due to exceptional circumstances.

2. Categorising absence

Where pupils of compulsory school age are recorded as absent, the register must show whether the absence is authorised or unauthorised.

- Absence can only be authorised by the school and cannot be authorised by parents. All absences will be treated as unauthorised unless a satisfactory explanation for the pupil's absence has been received.
- Parents should advise the school by telephone on the first day of absence and provide the school with an expected date of return. This should be followed up in the form of a written note from the parent/carer, though verbal explanations may be acceptable where this is considered appropriate. Alternative arrangements will be agreed with non-English speaking parents/carers. If parents have not notified school of a child's absence by the close of register (9.15am), school will telephone the contact number to enquire why the child is absent.

Absence will be categorised as follows:

Illness In most cases a telephone call or a note from the parent informing the school that their child is ill will be acceptable. Parents may be asked to provide medical evidence where there are repeated absences due to reported illness. This will usually be in the form of an appointment card, prescription unless the local authority requires verification from the GP.

Medical/Dental Appointments Parents are advised where possible to make medical and dental appointments outside of the school day. Where this is not possible, pupils should attend school for part of the day. Parents should show the appointment card to school.

Other Authorised Circumstances This relates to occasions where there is cause for absence due to exceptional circumstances, for example family bereavement, visiting a parent in prison or part-time timetable agreed as part of a reintegration package.

Excluded (No alternative provision made) Exclusion from attending school is counted as an authorised absence. The child's class teacher will make arrangements for work to be sent home.

Leave for Exceptional Circumstances

The Government made amendments to the Education (Pupil Registration) (England) Regulations 2006 on **1st September 2013**. These state that Headteachers **may not** grant any leave of absence for holidays during the term time unless there are exceptional circumstances; in these cases, it is the Headteacher who determines the number of days a child can be away from school if the leave is granted. As a consequence of these changes the Headteacher will no longer be able to approve requests for leave of absence for reasons that are not considered to be special or exceptional such as:

- Availability of cheap holidays and cheap travel arrangements
- Days overlapping with beginning or end of term

Parents needing leave of absence for **exceptional circumstances** should complete a form at least two weeks before the anticipated start date. The reason for the request should be given in detail. Applications should be made before the leave is arranged as absences will not be granted retrospectively. This is Government policy and parents who take their children on holiday without permission will incur unauthorised absences for their child. These remain on the child's record and

will be monitored for further action by the Education Welfare Service. Parents could be issued with a fixed penalty notice and/or court action. Currently the fixed penalty is £120 per child per parent.

Religious Observance

Swanwick Primary School acknowledges the multi-faith nature of British society and recognises that on some occasions, religious festivals may fall outside school holiday periods or weekends and this necessitates a consideration of authorised absence or special leave for religious observance. It is reasonable for a parent to allow their children not to attend school on any day of religious observance if recognised by the parent's religious body. Parents are requested to give advance notice to the school if they intend their child to be absent. However, in the interests of fulfilling the academic requirements of the school and limiting the authorised absence rate of the school, it is identified as reasonable that no more than one day be designated for any individual occasion of religious observance/festival and no more than three days in total in any academic year. Any further absence will be categorised as unauthorised.

Traveller Absence

The aim for the attendance of Traveller children, in common with all other children, is to attend school as regularly and as frequently as possible. To protect Traveller parents from unreasonable prosecution for non-attendance, the Education Act 1944, section 86, states that a Traveller parent is safe from prosecution if their child accrues 200 attendances (i.e. 200 half days) in a year. This is only when the family are engaged in a trade or business that requires them to travel and when the child is attending school as regularly as that trade permits. It does not mean that part-time education for Traveller children is legally acceptable, nor does it relieve parents of their duties to ensure that their children are receiving suitable education when not at school.

Performance

Swanwick Primary School can grant leave of absence for a pupil to undertake employment during school hours for the purpose of taking part in a performance, within the meaning of section 37 of the Children and Young Persons Act 1963 if the local authority have given the pupil a licence for that performance.

Legislation sets out that a local authority licence must be obtained before a child can take part in a performance. There are some exemptions, including the granting of Body of Persons Approval (BOPA). BOPAs can be issued by the local authority where a performance is to take place, or by the Secretary of State (generally only if there are to be many children involved and a number of different locations, but legislation does not limit this to those situations).

Swanwick Primary School is sympathetic to requests for leave of absence that are supported by a licence or a BOPA; as long as the school remains satisfied that this will not have a negative effect on a pupil's education. Where the licence specifies the dates that a pupil is to be away from school to perform, the school should record the absence for those days as if a leave of absence had been applied for and granted. However, where the terms of the licence or BOPA do not specify dates, it is at the discretion of the headteacher to grant leave of absence.

Late Arrival

Registration begins at 8:55 am. Children arriving after 8.55 am up until 9.15 am will be marked as late. The registers close at 9:15 am. Pupils arriving after the close of register will be recorded as

unauthorised absence of a morning session. Parents will be asked to sign their child into school giving a reason for their late arrival.

On arrival after the close of register, pupils must immediately be taken to the school office to ensure that we can be responsible for their health and safety whilst they are in school. The absence will only be authorised if a satisfactory explanation for the late arrival can be provided, for example, attendance at a medical appointment. The absence will be recorded as unauthorised if the pupil has arrived late without justifiable cause, for example, if parents woke up late.

Unauthorised absence

Absence will not be authorised unless parents have provided a satisfactory explanation and that it has been accepted as such by the school.

Examples of unsatisfactory explanations include:

- A pupil's/family member's birthday
- Shopping
- Having their hair cut
- Closure of a sibling's school for INSET (or other) purposes
- "Couldn't get up"
- Illness where the child is considered well enough to attend school
- Holidays taken without the authorisation of school

3. Deletions from the Register

In accordance with the Education (Pupil Registration) (England) Regulations 2006, pupils will only be deleted from the register when one of the following circumstances applies:

- Permanent exclusion has occurred and procedures have been completed
- Transfer between schools
- Pupil withdrawn to be educated outside the school system
- Failure to return from an extended holiday after both the school and the local authority have tried to locate the pupil
- A medical condition prevents their attendance and return to the school
- 15 days continuous unauthorised absence and both the local authority and school have tried to locate the pupil
- Left the school but not known where he/she has gone after both the school and the local authority have tried to locate the pupil

Swanwick Primary School will follow Derbyshire County Council's Children Missing Education Protocol when a pupil's whereabouts is unknown.

4. Roles and Responsibilities

We believe that improved school attendance can only be achieved if it is viewed as a shared responsibility of the school staff, governors, parents, pupils and the wider school community. As such,

The Governing Body will:

- Ensure that the importance and value of good attendance is promoted to pupils and their parents
- Annually review the school's Attendance Policy and ensure the required resources are available to fully implement the policy
- Identify a member of the governing body to lead on attendance matters
- Ensure that the Registration Regulations, England, 2006 and other attendance related legislation is complied with
- Agree school attendance targets and submit these to the Local Authority within the agreed timescale each year and where appropriate link these to the Attendance Lead within the school
- Monitor the school's attendance and related issues through termly reporting at Governing Body Meetings
- Ensure that attendance data is reported to the Local Authority or Department of Education as required and on time
- Ensure that there is a named senior manager to lead on attendance (Assistant Headteacher)
- Ensure that the school has clear systems to report, record and monitor the attendance of all pupils, including those who are educated off-site
- Ensure that there are procedures for collecting and analysing attendance data frequently to identify causes and patterns of absence
- Ensure that data is understood and used to devise solutions and to evaluate the effectiveness of interventions and support offered

The Leadership Team will:

- Develop a culture to promote the importance and value of good attendance to pupils and their parents
- Form positive relationships with pupils and parents
- Ensure that there is a whole school approach which reinforces good school attendance; with good teaching and learning experiences that encourage all pupils to attend and to achieve
- Monitor the implementation of the Attendance Policy and ensure that the policy is reviewed annually
- Ensure that all staff are aware of the Attendance Policy and adequately trained to address attendance issues
- Ensure that the Registration Regulations, England, 2006 and other attendance related legislation is complied with
- Ensure that there is a named senior leader with overall responsibility for championing and improving attendance who has sufficient time and resource
- Return school attendance data to the Local Authority and the Department for Children, Schools and Families as required and on time
- Report the school's attendance and related issues through termly reporting to the Governing Body
- Ensure that systems to report, record and monitor the attendance of all pupils, including those who are educated off-site are implemented
- Ensure that attendance data is collected and analysed frequently to identify causes and patterns of absence

- Interpret the data to devise solutions and to evaluate the effectiveness of interventions and support offered
- Work with identified pupils and their parents to address the reasons for absence, including any in-school barriers to attendance
- Develop a multi-agency response (Family Support Worker, School Health, Social Care) to improve attendance and support pupils and their families
- Document interventions used to a standard required by the local authority should legal proceedings be instigated
- Where out of school barriers are identified, signpost and support access to any required services in the first instance
- If the issue persists, take an active part in the multiagency effort with the local authority and other partners

Class teachers will:

- Actively promote the importance and value of good attendance to pupils and their parents
- Form positive relationships with pupils and parents
- Contribute to a whole school approach which reinforces good school attendance; with good teaching and learning experiences that encourage all pupils to attend and to achieve
- Comply with the Registration Regulations, England, 2006 and other attendance related legislation
- Implement systems to report, record and monitor the attendance of all pupils, including those who are educated off-site
- Contribute to the evaluation of school strategies and support offered
- Work with other agencies to improve attendance and support pupils and their families
- Document interventions used to a standard required by the local authority should legal proceedings be instigated

We request that Parents will:

- Talk to their child about school and what goes on there. Take a positive interest in their child's work and educational progress
- Instil the value of education and regular school attendance within the home environment
- Encourage their child to look to the future and have aspirations
- Contact the school as soon as possible if their child is absent to let them know the reason why and the expected date of return. Follow this up with a note where possible.
- Try to avoid unnecessary absences. Wherever possible make appointments for the Doctors, Dentists etc. outside of school hours
- Ask the school for help if their child is experiencing difficulties
- Inform the school of any change in circumstances that may impact on their child's attendance
- Support the school; take every opportunity to get involved in their child's education, form a positive relationship with school and acknowledge the importance of children receiving the same messages from both school and home
- Encourage routine at home, for example, bed times, homework, preparing school bag and uniform the evening before
- Not keep their child off school to go shopping, to help at home or when a parent is unwell if at all possible.

5. Using Attendance Data

Pupil's attendance will be monitored and data will be shared with the Local Authority and other agencies if a pupil's attendance is a cause for concern.

Every half term the school administration team, will provide the Attendance Lead with attendance data for the previous term for each pupil within the school.

Each week in our celebration assembly, the class with the highest percentage of attendance receives recognition and praise. The Senior Leadership Team will receive a complete set of data for analysis.

This pupil level data will be used to identify the need for the offer of intervention and support.

Attendance data will also be used to identify emerging patterns and trends to inform whole school strategies to improve attendance and attainment.

Swanwick Primary School will share attendance data with the Department for Education via the local authority as required. All information shared will be done so in accordance with the Data Protection Act 1998.

6. Support Systems

School recognise that poor attendance is often an indication of difficulties in a child's life. This may be related to problems at home and or in school. Parents should make school aware of any difficulties or changes in circumstances that may affect their child's attendance and or behaviour in school, for example, bereavement, divorce/separation, incidents of domestic abuse. This will help the school identify any additional support that may be required. School also recognises that some pupils are more likely to require additional support to attain good attendance, for example, those pupils with special educational needs, those with physical or mental health needs, migrant and refugee pupils and looked after children.

The school will implement a range of early help support aimed at improving attendance. Strategies used will include:

- Discussion with parents and pupils
- Attendance panels
- Parenting contracts
- Referrals to support agencies
- Friendship groups
- PSHE
- Reward systems
- Time limited part time attendance
- Additional learning support
- Behaviour support
- Breakfast Club

Support offered to families will be child-centred and planned in discussion and agreement with parents.

Where parents fail or refuse to engage with the support offered and further unauthorised absence occurs, the school, in consultation with Derbyshire County Council, will consider the use of legal sanctions.

7. Legal Sanctions

Prosecution When attendance continues to be low and intervention fails to bring about an improvement, the Local Authority will be notified and legal action in the Magistrates' Court may be taken. The school will provide the Local Authority with evidence required for a prosecution under Section 444 or section 444 (a) of the Education Act 1996 and will appear as a prosecution witness if required by the court. This is to ensure that parents realise their own responsibilities in ensuring attendance at school and most importantly about returning children to education.

Section 444 of the Education Act 1996 states that if a parent fails to ensure the regular school attendance of their child if he/she is a registered pupil at a school and is of compulsory school age, then they are guilty of an offence.

A parent found guilty of this offence can be fined up to £2500 and or be imprisoned for a period of three months.

Alternatives to Section 444 prosecution are Parenting Contracts, Penalty Notices or an Education Supervision Order.

Parenting Contracts (Anti Social Behaviour Act 2003) A Parenting contract is a voluntary agreement between school and the parent, it can also be extended to include the child and any other agencies offering support to resolve any difficulties leading to improved attendance.

The contract will outline attendance targets and will detail agreed actions that will help to achieve the target. The contract will be reviewed regularly.

The contract can be used as evidence in a prosecution should parents fail to carry out agreed actions. Parenting Contracts will be used in accordance with Derbyshire County Council's Parenting Contract Protocol.

Penalty Notices (Anti Social Behaviour Act 2003) Penalty Notices will be considered when:

- A pupil is absent from school for the purpose of a holiday in term time.
- A pupil has accumulated at least ten sessions of unauthorised absence and further unauthorised absence has occurred following written warning to improve
- Where it is considered that parents are able to improve their child's attendance but are not willing to do so
- Following a fixed penalty panel due to ongoing poor attendance

A Penalty Notice gives the parent the opportunity to discharge themselves of their legal responsibility if a £60 fine is paid within 28 days or £120 if paid within 42 days of the date the Notice was issued. The 42 days starts 2 days after the date of issue of the notice.

Failure to pay the Penalty Notice may result in a prosecution under Section 444 of the Education Act 1996.

Penalty Notices will be used in accordance with Derbyshire County Council's Penalty Notice Protocol.

Attendance will be a standing item each term on the agenda of the Senior Leadership Team meetings where the progress of these groups will be reported and the effectiveness of interventions

measured. This will be used to review and inform whole school strategies and may also have links with performance management.

The Attendance Lead will include attendance information in each termly Report to Governors.

This policy will be reviewed annually.

Stuart Morris – Assistant Headteacher – 21st September 2022