

Paulet High School			School Policy Document				
Reference Number	SD2	Approved By	SLT	Issue	03	Date	5 th June 2009
Policy Title	School Attendance Policy						
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Attendance policy

Parents or guardians of students of compulsory school age have a legal duty to ensure that their children receive efficient, full-time education by attendance at school or otherwise. (*Education Act 1996*).

Under the provisions of the *Education Act 1996 (s434)* and the *Pupil Registration Regulations 1995* the school must keep an attendance register.

The school is aware that when records are kept on a computer there must be a print-out at least once per month, and that at the end of the year the print-outs must be bound into annual volumes.

The school is registered with the Information Commissioner under the *Data Protection Act 1998*.

Aims

The school is committed to a positive policy of encouraging students to attend school regularly to maximise their successes and support continued whole school improvement. The school will work with parents and students to secure this aim.

The other purpose of this attendance policy is to ensure that there is an efficient system, known to all, for ensuring that students who should be attending the school have registered twice daily, or a reason for non-attendance is known to the school.

Taking the Register

Students of compulsory school age must have their attendance registered twice per day. It is the practice of this school to register ALL students (including those over compulsory school age).

The register is updated twice daily at the start of morning after form time and at the start of Period 5 for the afternoon sessions. In addition all teaching staff must check that the students who should attend each lesson do so.

The register will record the following:

- whether the student is present, absent, or attending an approved educational activity.

An 'approved educational activity' is defined as:

- a) one taking place off the school premises;
- b) approved by a person authorised by the governing body or the Headteacher;
- c) supervised by a person approved by the governing body or Headteacher;

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- d) of an educational nature, including work experience, field trips and educational visits, interviews with prospective employers, or for a place in Higher or Further Education; and
- e) Where students attend Burton College for part of their time, or franchised students receiving part of their education off-site at another location while remaining on roll and under school supervision (e.g. sick children being taught at home), or attending approved sporting activity:
 - When a student of compulsory school age is absent it is marked as an 'authorised' or 'unauthorised' absence; and
 - the nature of the approved educational activity (for a student of compulsory school age).

All Tutor Group registers are taken at the beginning of the school day and returned to the main office. The afternoon registration is taken at the beginning of period 5. Students are expected to be punctual for their lessons. If a student is late and the register has closed a student must sign in at the main reception for their afternoon sessions mark.

Lateness

Students are expected to get to school on time. The school day starts at 8.30 a.m. when students should be either in their form rooms or in the hall if it is their day for assembly. Once the gates have been locked students are then signed in by our Behaviour Support Officer(s) as late.

A late after the register has closed is marked on the system with a U.

In line with the school discipline policy after every three lates to school where there is no reasonable explanation or note from parents a one hour detention is set. These are organised by the schools' Behaviour Support Officers.

Responsibilities

The Governing Body will:

- approve the policy and any proposed changes;
- receive reports from the Headteacher;
- review the working of the policy in the light of the Headteacher's report; and
- ensure that the policy is promoted and implemented throughout the school, and is known by the parents.

The Headteacher will:

- set attendance targets as part of the development plan and target-setting process;
- monitor progress; and

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- ensure that strategies are in place to promote and implement the policy throughout the school.
- determine (in collaboration with the Assistant Headteacher – Student Progress (AHT) and Head of Year) whether to authorise any proposed absences requested or absences which have taken place for which no request was made;
- notify parents as appropriate that if a student of compulsory school age fails to attend regularly his/her parents commit an offence;
- initiate with appropriate staff strategies to improve attendance;

- liaise with the LEA and police when they wish to exercise their powers to enforce truants to return to school; and
- make an annual report with statistics to the governing body.

The Assistant Headteacher – Student Progress will:

- oversee the attendance arrangements;
- report weekly to the Senior Leadership team about attendance statistics and known actions taken;
- work with Heads of Year to ensure the efficient running of the system;
- ensure that unaccounted-for absences are followed up by the Attendance Officer (who where necessary will inform the Headteacher who will decide what action to take including informing the local authority);
- liaise with the Educational Welfare Officer (EWO) / LEA over persistent absentees
- deal with issues of inadequate registering;
- arrange appropriate training for staff if required;
- keep the Headteacher informed of the progress of the policy; and
- advise the Headteacher on any strategies that could be initiated or improved.

Heads of Year will:

- ensure that all student absences are noted and absence notes received from parents;
- ensure that all form group registers are completed and handed to the school office at the end of each morning registration;
- ensure registers are taken during a fire drill if a member of their tutor team is absent
- make regular checks on the efficiency of the registering and absence notes;
- ensure that all suspected truancy is followed up and dealt with in conjunction with BSO;
- contact parents over student absences using the Internal Levelled Monitoring System (see later);
- make reports to the Assistant Headteacher – Student Progress on the efficiency of the system giving suggestions for continued improvement;
- liaise with the BSO to support and improve punctuality in their year group(s);
- keep AHT informed of intervention strategies employed to help to improve student attendance in their year group(s);

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- Speak to the whole year group via assemblies; form groups during registration time and targeted groups of students in their year groups where attendance levels fall into the categories of the Internal Levelled Monitoring System;
- liaise with the Attendance Officer to track and monitor intervention strategies, and
- liaise with the AHT over training needs.

Form Tutors will:

- ensure that students are registered accurately;
- ensure that students bring absence notes and place these into the register folder for the Attendance Officer;
- speak to the form group regularly about current attendance levels and targets, including lateness to school;
- add attendance information to their form display when requested;
- follow up cases of unaccounted for absence or unacceptable notes;
- keep the Behaviour Support Officer for that year group informed of any signs of suspected truancy;
- inform the Head of Year of any possible underlying problems which might account for absences;

Classroom Teachers will:

- check the attendance of students at their lessons; and
- inform the Attendance Officer of the names of students who are absent without notification.

The Attendance Officer will:

- check the attendance of students each day for morning and afternoon registration marks
- compile and update whole school tracking systems looking at attendance data and intervention as appropriate linking to the Levels of attendance % system
- report weekly to the AHT about attendance patterns and whole school monitoring
- inform the EWO where students attendance falls below 85% and is for unauthorised absence (these students account for the school's persistent absence statistic PA)
- send out letters, when appropriate, regarding student attendance levels and to establish why a student is absent if it has not been possible to contact parents by phone;
- meet with Behaviour Support Officer(s) where appropriate to discuss the attendance concerns of individual students in support of the monitoring and intervention systems
- support the Heads of Year in attendance clinic / assemblies to target students whose attendance needs to be improved
- support the school's register inspections by meeting with the authorities representative when these are completed each half term

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- administer the holiday request forms in conjunction with the AHT and Headteacher
- liaise with the Heads of Year about the intervention work they are doing to monitor and support improved attendance and discuss tracking systems with them
- liaise with the Parent Support Worker (appointed through the Community and Learning Partnership) on case load determined by the AHT
- give all form tutors updates on attendance and lates data weekly via the registers
- speak with parents of students absent from school on a daily basis
- display the attendance data each half term for the students to see
- co-ordinate the prizes and certificates for students achieving over targeted levels of attendance
- co-ordinate the requests for CTF files for all new starters; and
- inform all staff when a student has left and is taken off role.

The Behaviour Support Officers will:

- sign in all late students to school each morning;
- manage and run the lates detention;
- support the work of the Heads of Year in monitoring and intervention work linking to student punctuality and attendance; and
- add the late statistical data to the weekly updates given to Heads of Year and SLT for monitoring purposes.

Students are required to:

- attend regularly unless they are ill or have an authorised absence ('Attending regularly' means registering before the attendance register is closed for the session);
- bring an explanatory note on the day of return to school or have this written into their link books;
- discuss with the form tutor any planned absences well in advance (eg a family holiday so the correct forms can be collected from the main office and completed by parents); and

Parents are required to:

- inform the school, if their child is ill, on the first day of absence by telephoning the Attendance Officer
- discuss with the BSO or Head of Year any planned absence well in advance if they require work to be collected for their child
- make any request for leave of absence by formally writing to the Headteacher
- send their child into school following an absence through illness with a written note to inform their form tutor or a note written in the link book

Inspection

The AHT will ensure that the School Admission and Attendance Registers are available for inspection by registered inspectors.

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Register inspections are to be carried out in conjunction with the school's Attendance Officer. The Attendance Officer to keep the AHT informed of any concerns on a weekly basis if further intervention or support is required. The Attendance Officer is also to keep the school Education Welfare Officer informed of progress with students or referrals in conjunction with the work of the Heads of Year.

Leave of Absence

Leave can be granted only by the Headteacher on recommendation from the AHT or Head of Year. Parents will be expected to write a letter outlining the reasons for the requested leave of absence. This letter must be addressed to the Headteacher.

After consultation a response will be sent out in the post by the Attendance Officer.

Holiday Leave

Please see Family Request During Term Time policy documentation Appendix 1.

Short -Term Leave

The School can legally grant short-term leave for family reasons. It is for the Headteacher to determine the reasonableness.

Where a student becomes pregnant, leave will be given of no more than 18 weeks after which the absence would be unauthorised. The school will do all it can to support the student remaining in school as long as possible.

Dental and medical appointments are valid reasons for missing registration and constitute authorised absence. If the student leaves for an appointment after registering no absence needs to be recorded.

The Headteacher may, exceptionally, sanction limited absence for young carers until other arrangements can be made. The Headteacher will set a time limit for such absences in consultation with the AHT and Head of Year. The Headteacher may also seek advice from the LA or appropriate agency before coming to a decision.

Religious Observance

There is no legislation or regulation or DCSF guidance on this matter. The Headteacher will review each application reasonably, and in consultation with the AHT, Head of Year and the parents.

The school expects advance notice, since religious festivals are likely to be fixed well ahead.

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Distance from School

A student will not have failed to attend regularly if the parent can prove that the school is not within walking distance (defined as two miles for children under 8 and three miles for children over 8), in each case measured by the nearest available route, and where the LA has not made suitable arrangements for:

- transport; and
- changing to another school nearer to the home.

Where there are such occurrences the Headteacher will consult with the LA, and the Chair of Governors as appropriate.

Taking a Student off the Register

The Headteacher will authorise the taking of a student's name off the register in accordance with the current regulations.

The Attendance Officer will oversee the requests for CTF files by emailing the Data Manager when these are required for all new starters (including managed moves). All CTF requests are to go through and come from the Attendance Officer.

The Attendance Officer will request if a student needs to be taken off role liaising with the Examinations Officer. The Attendance Officer will also inform staff if a student has been taken off role or taken on role.

Monitoring and Review

The Headteacher will review the working of the policy with the Leadership Group and make at least annual reports to the governing body.

Internal Levelled Monitoring Systems

Diamond	=	100%
Green	=	99.9 – 93%
Amber	=	92.9 – 86%
Red	=	85.9% and below

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Action

Review of student attendance each half term; both students and parents informed of the band they fall into. Intervention strategies to be created, rolled out and reviewed over the course of 2009/10.

Students to be consulted about the development of a rewards system that links directly to attendance through School Council Meetings 2009/10.

- Diamond = Letters and certificates plus a 100% attendance badge at the end of the year
- Green = Letters and certificates
- Amber = Letter of encouragement and interview with BSO or Head of Year each half term.
- Red = Attendance Officer to contact EWO
 Heads of Year to hold a formal interview with the student and parent/carer.
 EWO to possibly carry out a home visit and formal caution if did not attend the meeting.
 Meeting in school arranged to be held with (combination of) EWO, Attendance Officer, Head of Year and/or AHT.

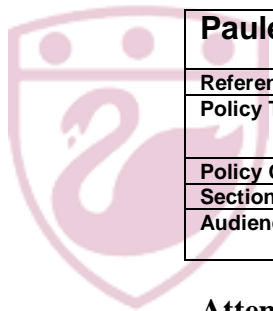
The best form group per year group per term are currently awarded a free breakfast. Attendance data is put into registers each week and put on display each half term outside the AHT office.

Fixed Penalty Notices

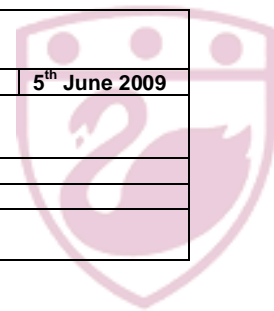
The school fully adopts Staffordshire County Council's penalty notice protocol. See Appendix 2 - all parents of all new admissions to receive a copy of this notice. See Appendix 3 for Staffordshire protocol.

Attendance History

Overall attendance 2006/07	= 93.06%
Absence target 2007/08	= 7.5%
Overall attendance 2007/08	= 93.28%



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Attendance Targets

The schools attendance target 2008/09, for combined authorised and unauthorised absences is 6.9%. Target is therefore 93.1% attendance for this academic year.

Staffordshire County Council Target for Persistent Absence statistics where attendance is below 85% is 7%. Our school target is therefore to achieve below 7% PA.

Signed:

Chair of Governors

Headteacher

Date

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Appendix 1 – Family Holiday Requests During Term Time

The headteacher has the discretion to grant up to ten days authorised absence for family holidays in a school year. However, each application will be considered individually taking into account factors such as the timing of the holiday and the student's attendance. For example, a student with an otherwise perfect attendance record will achieve a maximum of 94.7% attendance if s/he goes on a ten day holiday during term time. The legislation states that:

‘...an application has been made in advance by a parent with whom the pupil normally resides, the proprietor, or person authorised by the proprietor,..... considers that leave of absence should be granted due to the special circumstances relating to that application...Save in exceptional circumstances, a pupil shall not...be granted more than ten school days leave of absence in any school year.’
The Education (Pupil Registration) Regulations 2006 (SI 1751)

In brief this means that:

- Parents **CANNOT** demand a leave of absence as an automatic right.
- Parental requests **MUST** be in writing.
- Schools **CANNOT** apply blanket policies to approve/reject all applications.
- All requests **MUST** be considered on their own merits.
- Extended periods of absence will be granted **ONLY** in exceptional circumstances.
- The power to authorise/unauthorise a leave of absence belongs to the Headteacher.

In order to ensure equity within and between schools, decisions on whether or not to authorise a leave of absence for family holidays will be guided by the use of the Holiday Authorisation Calculator (B). This does not remove the Headteacher's prerogative to authorise holiday in exceptional circumstances.

Procedure

Parent/carer should complete a holiday request form (A) and submit this to the school at least two weeks prior to the intended period of absence; school will respond to the request within one week. If school is aware of any language difficulties that may preclude a request form being completed appropriate support should be offered to the parent/carer.

The Holiday Authorisation Calculation Chart (B) should be used to guide the Headteacher's decision on whether or not to authorise the requested leave of absence.

- If the total score is 7 or less holiday leave may be authorised.
- If the total score is 8 or more holiday leave should not be authorised. However, the Headteacher may be aware of exceptional circumstances which would warrant approving holiday leave and this should be recorded on the form.
- If a student has already taken ten days holiday leave in the same academic year further holiday leave should not be authorised.

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- If the Local Authority has begun legal proceedings (i.e. has sent an Advisory letter) holiday should not be authorised and this should be recorded on the form.
- Parents will be made aware via newsletters that holidays which have not been agreed in advance will lead to the student being marked with unauthorised absences and that this may be referred to the Local Authority for consideration of a Penalty Notice or other action.

A letter confirming that the request has been authorised/denied (C/D) will be sent to the parent/carer by the attendance officer, with a copy of the Holiday Authorisation Calculation Chart (B) within one week of receipt of the holiday request.

- Student should be marked H (authorised absence) for the agreed period of holiday leave.
- Student should be marked G (unauthorised absence) in the register if the holiday absences have **NOT** been authorised by the school or for days taken in excess of an agreed period.

Family Holidays and Extended Trips Overseas

Sometimes parents may wish to take their children on extended overseas holidays during term-time. Such visits are particularly important to parents who want to ensure that their children meet members of their extended family overseas. While it is important to recognise the educational and cultural significance of such visits, DCFS guidelines make clear that leave of absence for more than two weeks during term-time should be regarded as **exceptional** and "blanket approval" policies are not acceptable. It is expected that parents will put forward a convincing case to justify such absence. When considering a request for extended leave during term time the following factors may be relevant, in addition to those on the Holiday Calculator, but this list should not be regarded as comprehensive:

- the nature and purpose of the trip;
- the duration of the trip and its impact on the child's education, particularly in terms of the continuity of learning
- the circumstances of the family, the wishes of the parents and their cultural traditions;
- the distance to be travelled and the expense involved
- the overall attendance pattern of the student.

Where holidays of more than two weeks are planned, to visit family members living overseas, the school may find it helpful to discuss with parents the most appropriate time of year and point in the student's educational career for the visit, so that it can be timed to minimise the effects on the continuity of the student's education. In cases where approval is given for such a holiday, schools may wish to consider making up a study pack or setting assignments for the student concerned to complete while s/he is away.

The Education (Pupil Registration) Regulations 2006 state that where a student has been granted extended leave of absence and subsequently fails to return to school within 10

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school days of the expiry of the agreed period of absence, and the failure is not due to sickness or any other unavoidable cause, his/her name may, following consultation with the Local Authority, be deleted from the admission register. The implications of this and the difficulties of admission to oversubscribed groups should be made clear to the family.

It is important that we show an understanding of the parents' perspective even though we may not be able to comply with a request for absence. In discussing absence with parents (whether before or after the event) we will have taken account of the following:-

- a visit involving family overseas has an entirely different significance to that of the normal associations with a 'holiday'.
- visits may be very important in terms of the student's identity and self-esteem as they grow up.
- parents may feel that the reasons for their visit outweighs the importance of their child's uninterrupted attendance at school -maintaining family links (in extended family situations) may involve greater significance and greater pressures in some societies than it does currently in many western societies.
- the reasons for parents making a visit may be similar to those for indigenous parents e.g. family illness, bereavement, family business, maintaining family contacts etc.

If absence is agreed the school will:

- confirm agreement in writing (letter E).
- seek to establish, and make explicit if appropriate, the potential educational value of the visit .
- explain what work the child will miss in school, how it can be made up on return if necessary, and how the parents could help the child
- enquire whether work can be given for the child to do (with parental support) while s/he is away
- prepare a study pack, if requested, with the co-ordination of the BSO / Head of Year
- ask the student to make notes/observations in relation to a class topic (current or for the following term)
- go through any work that has been done by the student on return
- share the experience of the visit in a positive way with other children and the class teacher on return.
- inform parent/carer of the possibility of the student's removal from the school roll if the student does not return within ten days of the agreed date and no reasonable explanation is forthcoming.

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Registration Marks

H = Holiday leave is authorised (authorised absence).

G = Holiday leave is not authorised (unauthorised absence). This mark should be used for holiday absences that have **NOT** been authorised by the school or for days taken in excess of an agreed period.

F = Extended family holiday leave is authorised (authorised absence).

Notes to Appendices

A – Family Holiday Request

- All requests for holiday leave should be submitted at least two weeks prior to the commencement of the holiday period requested.
- If request is for an extended period (i.e. three weeks or more) parents/carers will be invited in to school to discuss the request.

B - Holiday Authorisation Calculation Chart

- This should be filled in by the Attendance Officer and signed off by a senior member of staff.
- ‘Mitigation’ may be identified by the ‘Reason for term time holiday request’ on the parental request form, or there may be other information available to the school that impacts on the decision.
- Score is 1 to 7 holiday may be approved.
- Score is 8 or more holiday should not be authorised except at the discretion of Headteacher for exceptional circumstances.

C - Standard Letter – Holiday Leave Approved

- Parents/carers should receive a response to their request within one week of the application.
- Letter should be accompanied by a copy of the completed Holiday Authorisation Calculation Chart (B).

D - Standard Letter – Holiday Leave Denied

- Parents/carers should receive a response to their request within one week of the application.
- Letter should be accompanied by a copy of the completed Holiday Authorisation Calculation Chart (B).
- This letter may also be used if denying authorisation for extended holiday leave.

E - Standard Letter – Extended Holiday Leave Approved

- Letter sent confirming discussion held with the parent/carer.
- Arrange study pack/work project.

If request for extended leave is denied use letter D and expand on reasons.



**APPLICATION FOR STUDENT LEAVE OF ABSENCE FROM
SCHOOL FOR PARENTAL HOLIDAY**

Full name of child(ren):

Year group and form:

Address:

Reason for application and dates:

Signature of parent(s)/carer(s):

(person with parental responsibility)

Date:

Office use only

Request seen by Headteacher/ Assistant Headteacher Yes / No

Agreement reached Yes / No

Current Att %

Other outcome

Date / /

The Headteacher will consider the following points before authorising leave

1. The child's previous attendance history.
2. The age of the child(ren).
3. The child's stage of education.
4. The time of year (SATS or exams).
5. The nature of the trip (an exceptional experience).
6. Holiday already taken/granted within current academic year.
7. Whether the parents are restricted in terms of leave from their employer.

B

Paulet High School Holiday Authorisation Calculation Chart		
Name of Student.....		
The merits of each individual request should be evaluated by providing answers to <u>ALL</u> the following questions and scoring accordingly.		
(* Where the holiday already taken in the current academic year exceeds the DCSF guideline “i.e. maximum of 10 days in any academic year”, any further requests should NOT be authorised.)		
	Points Possible	Points
When is the holiday planned for?	September = 2pts May = 2pts Other dates = 1pt	
Pupil’s attendance level is? (Up until Autumn half term use the % figure from the previous year.)	Less than 70% = 5pts 70% to 80% = 4pts 80% to 85% = 3pts 85% to 93% = 2pts More than 93% = 1pt	
How close is the pupil to a SATs assessment or other examination?	Non-SATs/Exam Year = 1pt More than 16 wks = 1pt 8 – 16 weeks = 2pts 2 – 8 weeks = 3pts less than 2 weeks = 4pts	
How much holiday leave has already been authorised in current academic year?*	8 or more = 4pts 5 to 7 days = 3pts 2 to 4 days = 2pts 1 to 3 days = 1pt	
Subtotal		
Any special mitigating circumstances/aspects of the holiday which can be classed as part of that pupils curriculum requirements (& work set to satisfy these) as below:	Subtract 2 points from subtotal.	
Details of mitigation		
Total		
Leave for family holiday where the total is 8 or more <u>should NOT be authorised</u>		
The only exception to the above may be where there are, in the opinion of the Headteacher ‘exceptional circumstances.’ (incl. religious and cultural considerations; add comment in mitigation box). If the Local Authority has begun legal proceedings holiday should NOT be authorised.		
DELETE WHERE APPROPRIATE:- REQUEST APPROVED / REQUEST DENIED		
Completed by..... Date.....		

C

Dear

Thank you for your recent holiday request form.

I am able to confirm that on this occasion I am able to authorise your child's leave of absence from *date to date*, for the purpose of a family holiday.

Requests for holiday leave are never taken lightly and in taking this decision I have considered *name of student* overall level of attendance, academic attainment and the impact any leave may have on public examinations and tests (see attached form).

Please contact the Head of Year if you would like a study pack or project outline that *child's name* can complete whilst away. I hope that you have a good holiday and that *name of pupil* finds it an interesting and stimulating experience.

Yours sincerely,

Headteacher

D

Dear

Thank you for your recent holiday request form.

On this occasion I am not able to authorise your child's leave of absence from *date* to *date*, for the purpose of a family holiday.

I have no wish to deprive families of a well earned family holiday but my first concern has to be the educational development of *student name*. Requests for holiday leave are never taken lightly and in taking this decision I have considered *name of student* overall level of attendance, academic attainment and the impact any leave may have on public examinations and tests (please see attached form).

If you decide to go ahead with your proposed holiday, *student name* absences will be marked as unauthorised. I should inform you that unauthorised absences are referred to the Local Authority who may under certain circumstance consider issuing you with a Penalty Notice or other legal action in relation to unauthorised absences.

If you wish to discuss this matter further please feel free to make an appointment to see me.

Yours sincerely,

Headteacher

E

Dear

Further to our meeting on *date*.

I am able to confirm that on this occasion I am able to authorise your child's extended leave of absence from *date* to *date*.

Requests for extended holiday leave are only ever granted in exceptional circumstances. *Outline reason for authorisation*.

Please contact the Head of Year to discuss a possible study pack or project outline that *child's name* can complete whilst away.

I look forward to *name of student* returning on *date* and hope that *name of student* finds it an interesting and stimulating experience.

I must remind you that if *name of student* does not return to school within ten school days of the agreed date, without reasonable cause, *name of student* may be removed from the school roll.

Yours sincerely,

Headteacher

Education Penalty Notices

Information for Parents

Parents have a legal duty to make sure that their children go to school regularly. The local authority can now issue Penalty Notices if a parent fails to make sure that their children receive the education they deserve. This leaflet tells you about these notices.

School Attendance and the Law

Any absence from school is a cause for concern. Only by attending every day will your child have the best chance to get the most from their education.

The Headteacher at your child's school must decide whether to authorise an absence. That is to agree that there was a legitimate reason for your child not to be in school.

There are only four legitimate reasons for absence:

- Religious observance
- Illness of the child
- The death of a close family member
- An urgent medical or dental appointment

The Education Welfare Service (EWS) can take legal action against you if you fail to make sure that your children go to school regularly and there is no legitimate reason for the absence. This action might take one of two forms:

- The issuing of a Penalty Notice
- Prosecution in the local Magistrates Court

This information is about Penalty Notices and how the EWS will issue them.

What they are

Penalty Notices are fines, issued by Staffordshire EWS, for a child's unauthorised absence from school.

The service will always consider legal action when there is no legitimate reason for absence.

How they will be issued

Notices will be issued by post. They will not be issued during a Truancy Sweep or as part of a meeting with parents.



This graph shows the effect of missing time from school over a year. Every school session is important if your child is not going to fall behind.

The EWS will not take legal action if previously poor attendance is now improving.

Instead they'll monitor the case and support the pupil. If attendance doesn't improve, or if absences begin to increase the EWS will re-assess the case to see if legal action is needed.

Penalty Notices

What they mean

Parents who are subject to a penalty notice have 3 choices:

Pay the fine early, within 28 days, and it is £50

Pay after 28 days but within 42 days and the fine is £100.

Don't pay the fine. In this case the Notice will be withdrawn and Magistrates Court proceedings will start. This could result in a fine of up to £1000 for each child whose attendance is causing concern and for each parent involved in the prosecution.

Further information

If you would like further information about Penalty Notices please contact your district Education Welfare Team:

If you have concerns about your child's education you should, initially, discuss these with school.

District	Telephone
Stafford and South Staffordshire	01785 356949
Lichfield and Cannock	01543 512050
East Staffordshire and Tamworth	01283 239755
Newcastle and Leek Moorlands	01782 297524

Appendix 3 – LA Code of Conduct Protocol for the issuing of Penalty Notices

STAFFORDSHIRE COUNTY COUNCIL Children and Life Long Learning Directorate

STAFFORDSHIRE LOCAL AUTHORITY PROTOCOL Penalty Notice Protocol

Rationale:

Regular and punctual attendance at school is both a legal requirement and essential for pupils to maximise their educational opportunities. In recognition of this, the law makes it an offence for a parent or carer to fail to secure the regular attendance of their child at a school at which the child is a registered pupil, without good reason or the agreement of the school.

Penalty Notices supplement the existing sanctions currently available under section 444, of the Education Act 1996 and section 36, of the Children's Act 1989, to enforce attendance at school where appropriate.

The Education Welfare Service (EWS) is responsible for enforcing this responsibility for the County Council and does so by supporting parents and pupils to overcome barriers to regular attendance, via a range of assessment and intervention strategies.

Sanctions, of any nature, are for use only where parental co-operation is either absent or deemed insufficient to resolve the presenting problem. They are used as a means to support parents to meet their responsibility in law and only where there is a reasonable expectation that their use will secure an improvement.

Legal Framework:

From 27th February 2004, section 23 of the Anti-social Behaviour Act 2003, supported by the Education (Penalty Notices) (England) Regulations 2004, empowers designated County Council officers, Head Teachers, Deputy & Assistant Head Teachers authorised by a Head Teacher and the Police to issue Penalty Notices in cases of unauthorised absence from school.

However, to ensure that the procedures used to determine when to issue a Penalty Notice are fair and objective, it must comply with other law, including the Human Rights Act and all Equal Opportunities legislation.

As a result, the County Council has responsibility for developing a local protocol that will govern how all of the partners named in the Anti-social Behaviour Act 2003, will issue Penalty Notices.

Circumstances where a Penalty Notice may be issued:

- A Penalty Notice can only be issued in cases of unauthorised absence;
- It is proposed that use of Penalty Notices will be restricted to one per pupil per academic year
- In cases where there is more than one poor-attending pupil in a family multiple notices may be issued. This decision will involve careful consideration and consultation with schools by the EWS regarding the family's current circumstances;
- There will be no restriction on the number of times a parent or carer may receive a formal warning of a possible issue of a Penalty Notice.

To ensure that Staffordshire County Council has a consistent approach to the issuing of Penalty Notices the EWS will apply their current criteria to each case, i.e.:

- there must be at least 20 sessions (10 school days) lost to unauthorised absence by the pupil during the **current term or previous term**, effectively an 85% attendance trigger; attendance should be calculated cumulatively.
- it is suggested that schools adopt the standard authorisation of holidays protocol as part of their attendance policy, as consideration of these cases will be based upon that protocol. Where parents fail to comply with procedure contained within the protocol a Penalty Notice may be considered.

Procedure for issuing Penalty Notices:

- It is proposed that the EWS will issue Penalty Notices in Staffordshire either as part of their ongoing casework or following referral from schools. It is intended that this process will ensure consistent and equitable delivery, retain school-home relationships and allow cohesion with other enforcement sanctions.
- the EWS will only issue Penalty Notices by post and never as an on the spot action i.e. during a Truancy Sweep. This will ensure that all evidential requirements are in place and meet Health and Safety requirements for the County Council employees.

Where Schools, Staffordshire Police and neighbouring LA's ask that Staffordshire County Council issue such a Notice, their request will be investigated and only actioned by the EWS where:

- the EWS is satisfied that it has all relevant information;
- the circumstances of the pupil's absence meets the requirements of this Protocol;
- there is a reasonable expectation that the use of a Penalty Notice would improve attendance; and
- the issue of a Penalty Notice does not conflict with other intervention strategies in place or enforcement sanctions already being used.

The EWS will respond to all requests within 10 school days of receipt and where the criteria are met will:

- issue a formal written warning to the parent or carer that they may be issued with a Penalty Notice;
- in the same letter set a period of 20 school days within which the pupil must have no unauthorised absence; and
- issue a Penalty Notice through the post at the end of the 20 school day period if the required level of improvement has not been achieved.

Procedure for withdrawing Penalty Notices:

Once issued, a Penalty Notice may be withdrawn in the following circumstances:

- the Council is satisfied that there is proof that the Penalty Notice was issued to the wrong person;
- the use of the Penalty Notice did not conform to the terms of this Protocol; or
- the parent can show that they did not receive the Penalty Notice e.g. it was delivered to the wrong address.

Payment of Penalty Notices:

- Arrangements for payment will be detailed on the Penalty Notice;
- Payment of a Penalty Notice discharges the parent's or carer's liability for the period in question and they cannot subsequently be prosecuted under other enforcement powers for the period covered by the Penalty Notice;
- Payment of a Penalty Notice within 28 days is £50 and payment after this time but within 42 days is £100; and
- The County Council retains any revenue from Penalty Notices to cover enforcement costs (collection or prosecuting in the event of non-payment).

Non-payment of Penalty Notices:

Non-payment of a Penalty Notice will result in the withdrawal of the Notice and will trigger the fast-track prosecution process under the provisions of section 444(1), of the Education Act 1996.

Policy and Publicity

- Identifying information about Penalty Notices issued to particular parent's or specific children should not be made public;
- Issuing of Penalty Notices as a sanction is included in the Authority's Attendance Policy;
- All school Attendance Policies should include information on the issuing of Penalty Notices and this will be brought to the attention of all parents;
- The LA will include information on the use of Penalty Notices and other attendance enforcement sanctions in promotional or public information material.

Reporting & Review:

The EWS will:

- report at regular intervals to the Schools Forum and Staffordshire Police on the deployment and outcomes of Penalty Notices;
- make termly reports to the Staffordshire County Council's Management Committee on attendance matters which will include Penalty Notice use; and
- review Penalty Notice use at regular intervals and amend the enforcement strategy as appropriate.