



Burrough Green CE Primary School - Attendance Policy

1. Introduction

Burrough Green CE Primary School has an excellent attendance record. Children enjoy coming to school and we are well supported by parents and carers in maintaining a consistently high standard. However, schools must be vigilant to ensure that poor attendance does not contribute to educational underachievement. Every day missed from school is a lost opportunity. Requests for leave of absence during term time have increased and it is important that parents are aware that these will be refused unless there are exceptional circumstances. For example, if a child is taken away for a two week holiday every year and has the average number of days off for sickness and appointments, by the time they leave secondary school at 16 they will have missed a year of school.

Policy Aims:

- To maintain high levels of achievement and behaviour by ensuring the highest possible levels of attendance and punctuality.
- To ensure that every pupil has access to a stimulating education, which meets their needs.
- To address patterns of absence promptly.
- To clarify the position around penalty notices (fines) and 'exceptional circumstances'.

2. Legal and National Context

Amendments to the Education (Pupil Registration) Regulations 2006 make clear that Headteachers may not grant leave of absence during term time unless there are exceptional circumstances (for a school definition please see below). Parents and carers should therefore not expect applications for holiday or leave during term time to be authorised.

Amendments have also been made to the 2007 Regulations in the Education (Penalty Notices) (England) (Amendment) Regulations 2013. The amendments described below came into force on 1st September 2013.

Penalty notices (fines) may be issued to each parent who fails, in accordance with the code of conduct drawn up by the Local Authority, to ensure their children's regular attendance at school or fails to ensure that their excluded child is not in a public place during the first five days of exclusion. Parents must pay £60 within 21 days; or £120 within 28 days to Cambridgeshire County Council.

The Local Authority code of conduct makes it clear that fines will only be levied if unauthorised absence has resulted in attendance falling below 85% in the four weeks prior to leave being taken and a letter alerting parents to our concerns has been sent.

4. Promoting Attendance

The school uses opportunities as they arise to remind parents and pupils of the importance of attendance, for instance through parent information evenings and the school prospectus. Attendance is also celebrated through the award of attendance certificates at the end of each half term, term, and academic year. In addition the school has adopted the following procedures for monitoring attendance and working with parents/carers to address concerns promptly.

4.1 Parents will:

- provide a written explanation for children's absences from school by telephone, letter or email with an indication of the duration of the expected absence,
- endeavour not to take children out of school in term time, but should this be necessary to complete the form in Appendix D and hand in to the school office two weeks before the planned absence is requested.
- notify the school as soon as problems arise with their child's attendance, and
- give advance warning of pupil absence, if possible.
- In cases of longer term absence for pupils with a medical condition details should be provided from a qualified medical practitioner so that appropriate work and support can be offered.

4.2 School will:

- keep a register of attendance for every morning and afternoon session,
- not authorise any absence unless the criteria for exceptional circumstances (below) have been met,
- contact parents/carers by telephone if no message explaining absence has been received,
- record any child arriving at school after the register has been returned to the office (e.g. after 8.55am) as late,
- print out a list of attendance for all pupils at the end of each half-term,
- send the standard letter to parents/carers of pupils with unexplained absences, or whose attendance has fallen below 95% (see Appendix B).
- Once slips are returned ensure the absences are coded appropriately on the system,
- keep a record of people who do not reply, and follow up with a phone call,
- check to see if attendance improves over the next half-term.
- If attendance continues to be poor, deteriorates or cannot be explained satisfactorily, then send out the standard letter (see Appendix C), inviting parents for interview. This letter will alert parents and carers that their child's attendance is at risk of falling below the 85% threshold.
- Ensure that the class teacher provides work for excluded students and long-term absentees.
- Involve the Education Welfare Officer where attendance is in danger of falling below 85%.

5. The work of Education Welfare Officer (EWO)

The school and EWO always endeavour to work with students and parents at an early stage to resolve problems. This is nearly always successful. However, the EWO also has a legal role and if other ways of resolving attendance have failed, these officers can use legal sanctions such as Penalty Notices or prosecutions in the Magistrates court.

6. Sanctions for Poor Attendance and Punctuality

The School may use any of the following sanctions to fulfil its obligations with respect to school attendance:

- Parent meetings
- Parent contracts
- Penalty notices

7. What constitutes an exceptional circumstance?

Authorised absences are approved by the Headteacher. An example of an authorised absence that may be approved would be a morning or afternoon away from school for a reason such as illness or medical/dental appointments that unavoidably fall within the school day, although it is fully expected that routine dental appointments and the like will be made outside of school hours. Absences may also be authorised for approved educational reasons, such as a sporting or drama commitment, or a dance or music examination or competition. At the Headteacher's discretion, the School reserves the right to request proof of the reason for absence. Many of these requests for absence will be well known in advance and therefore should be requested using the form found in Appendix D. However, parents/carers should be aware that no authorisation will be given if attendance has fallen below the satisfactory level of 95%.

It is hard to give a completely watertight definition of other events that might constitute an 'exceptional circumstance', but a good rule of thumb would be to allow for special one-off events in the life of a family that is beyond the control of those requesting the absence. For example:

- bereavement, or
- weddings involving close relatives.

All other absences will be deemed unauthorised. This includes:

- family holidays in term time for whatever reason,
- notifications received within two weeks of the requested absence.

Ratified by Governors School Development Committee November 2014

Review: Autumn 2017

Additional information available on request:

- Local Authority Code of Conduct for dealing with non-school attendance.
- Copies of penalty notices
- Local Authority briefing notes to accompany Code of Conduct

Appendix A – Legal Background.

Section 444(1) of the Education Act 1996 provides that a parent commits an offence if his or her compulsory school age child who is a registered pupil fails to attend school regularly. This can result in the school offering the parent the opportunity to enter into a parenting contract following a pupil's truancy or non-attendance under section 19 of the Anti-social Behaviour Act 2003. This can also result in the school instigating a Penalty Notice under section 23 of the Anti-social Behaviour Act 2003.

Amendments have also been made to the 2007 Regulations in the Education (Penalty Notices) (England) (Amendment) Regulations 2013. The amendments described below came into force on 1st September 2013

Penalty notices (fines) may be issued to each parent who fails to ensure their children's regular attendance at school or fails to ensure that their excluded child is not in a public place during the first five days of exclusion. Parents must pay £60 within 21 days; or £120 within 28 days

Appendix B – Standard letter to parents/carers of pupils with unexplained absences

Dear

At school we regularly monitor the attendance of children to ensure they get the most out of their education and benefit from the opportunities planned for them. Children thrive on continuity and the interactions they have with teachers and other pupils. Therefore,.....attendance since the beginning of September is of some concern.

[either or both]

[As you will see from.....'s registration certificate his/her attendance has fallen below the satisfactory level of 95%, and currently stands at.....%. Our records also show that his/her absences are particularly frequent on

Please ensure 's regular attendance at school, and if you have any concerns yourself about this matter please do not hesitate to contact me.

[I also note a small number of unexplained absences. Please will you fill out the attached form and return to the office.]

[Please note that when your child returns to school after being absent we need an official absence form to be completed, even if you have notified the school by phone. These forms can be obtained from the office]

Yours sincerely

Appendix C – standard letter to parents/carers of pupils whose attendance has fallen below 90%

Dear

On <date> I wrote to you advising that your son/daughter's attendance had fallen below ...%. Unfortunately, there has been no significant improvement in his/her attendance and this is continuing to cause concern. It is now in danger of falling below the 85% threshold, which may trigger the involvement of the Education Welfare Officer or the issue of a Penalty Notice. A copy of the attendance record is enclosed.

I must remind you that regular attendance is a legal requirement and it is important that any issues that may be the cause of this poor attendance are addressed as soon as possible. Please contact me in the next few days so that we can arrange a time to discuss <pupil's name> attendance.

I enclose for your information a copy of a leaflet about the role of the school's Education Welfare Officer.

Yours sincerely

Appendix D

LINTON VILLAGE COLLEGE CLUSTER SCHOOLS FAMILY HOLIDAYS IN TERM TIME

Dear Parents

We are writing to clarify the situation in relation to leave of absence for (including family holidays) in term time, so that all schools in our cluster can adopt a consistent approach.

You should not expect your child's school to agree to any absence for a holiday in term time. Taking a holiday during term time means that children miss important school time – both educationally and for other school activities. It will be difficult for them to catch up on work later on.

Parents do not have a legal right to take children out of school on holiday. Schools will only consider requests for up to ten days a year in exceptional circumstances. Each application, which should be received two weeks in advance, is considered individually, taking into account the following factors:

- the child's attendance record (it should exceed 95% attendance)
- the timing of the absence (it should not be taken during test times, exam days or at the beginning of term)
- the reason for the absence (the exceptional circumstances must be explained - a cheap term time holiday will not be accepted as a valid reason for absence)

There is more information about what's acceptable and what's not on the leaflet provided.

If leave is taken after permission has been withheld then this will be recorded as unauthorised absence. This will appear both in the school register and in your child's report. Persistent unauthorised absence may result in the involvement of the Education Welfare Officer and possible legal proceedings.

Yours sincerely

Caroline Derbyshire
Linton Village College

Keith Archer
Burrough Green

James Puxley
Linton Heights

Guy Underwood
Great Abington

Nicola Connor
Meadow, Balsham

Alexandra O'Connor
Castle Camps

Louise Clark
Linton Infants

Lucie Calow
Granta



LINTON VILLAGE COLLEGE CLUSTER SCHOOLS



APPLICATION FOR LEAVE OF ABSENCE

To be completed by parents

You should not expect your child's school to agree to any absence for a holiday in term time. Taking a holiday during term time means that children miss important school time – both educationally and for other school activities. It will be difficult for them to catch up on work later on.

Parents do not have a legal right to take children out of school on holiday. Schools will only consider requests for up to ten days a year in exceptional circumstances. Each application, which should be received two weeks in advance, is considered individually, taking into account the following factors:

- the child's attendance record (it should exceed 95% attendance)
- the timing of the absence (it should not be taken during test times, exam days or at the beginning of term)
- the reason for the absence (the exceptional circumstances must be explained - a cheap term time holiday will not be accepted as a valid reason for absence)

If leave is taken after permission has been withheld then this will be recorded as unauthorised absence. This will appear both in the school register and in your child's report. Persistent unauthorised absence may result in the involvement of the Education Welfare Officer and possible legal proceedings.

I request that (name of child)
be granted leave of absence from

..... (name of school)

from to 20

for the following reason (Details must be provided,. Insufficient information will mean authorisation cannot be given)

.....
.....

Signature of Parent / Carer Date

To be completed by the school

Attendance record

Good (over 97%)

Satisfactory (over 95%)

Unsatisfactory (below 95%)

Authorised

Unauthorised

Signature of Headteacher Date

Appendix E

PENALTY NOTICES NON-SCHOOL ATTENDANCE CAMBRIDGESHIRE COUNTY COUNCIL

LOCAL AUTHORITY CODE OF CONDUCT

Introduction

1. Under Section 23 of the Anti-Social Behaviour Act 2003 local education authority officers, headteachers and the police have the discretionary power to issue Penalty Notices to the parents of who children who truant.
2. The new power provides an alternative to prosecution of parents under Section 444 of the Education Act 1996 and enables parents to discharge potential liability for conviction for that offence by paying a penalty of £60 if paid within 21 days or £120 if paid within 28 days.
3. Should the Penalty Notice remain unpaid or have been paid only in part at the end of the 28 day period Cambridgeshire County Council must prosecute the parents for the offence to which the notice relates, or, in specified circumstances (see section 29 below), withdraw the notice.
4. Penalty Notices may only be issued in Cambridgeshire in accordance with the terms of this Code of Conduct. The purpose of the Code of Conduct is to ensure that the power is applied fairly and consistently across the County Council and that suitable arrangements are in place for the effective and efficient administration of the scheme.
5. In implementing this Code of Conduct the County Council will liaise when appropriate with neighbouring education and police authorities.
6. This Code of Conduct has been drafted in accordance with the Education (Penalty Notices) (England) Regulations 2004: Statutory Instrument 2004 No 181 and guidance issued by the Department for Education and Skills.
7. In preparing this Code of Conduct the County Council has consulted with Cambridgeshire headteachers and the Chief Officer of Cambridgeshire Constabulary.

1B Circumstances in which Penalty Notices may be issued

8. A Penalty Notice may be issued in cases of non-school attendance. Such a notice is intended to offer a rapid intervention, which may be used to address non-school attendance before it becomes entrenched.
9. Penalty Notices may only be issued in relation to absence from school, which is unauthorised. The County Council's recommended criteria for authorising/not authorising absence can be found in the Local Authority School Attendance Policy. (All Cambridgeshire schools are encouraged to adhere to the criteria detailed within this policy – see below).
10. Penalty Notices may only be issued in relation to a child whose attendance at school has been below 85% over the previous 4-week period.
11. The key consideration in deciding whether to issue a Penalty Notice should be whether it is considered likely to be effective in helping the child to whom it relates to return to regular attendance.

12. Before issuing a Penalty Notice due consideration should be given to other strategies which may help return the child concerned to regular school attendance. Such strategies might include:
 - a) writing to the child's parents to remind them of their legal responsibilities;
 - b) meeting with the child's parents;
 - c) ensuring a first-day response to any absence;
 - d) setting targets for improvement;
 - e) referral to the Education Welfare Officer;
 - f) involvement of other services/agencies.
13. The usual response to a first offence would be to warn the parent rather than to issue a Penalty Notice. Authorised officers do, however, have the discretion, in exceptional circumstances, to issue a Penalty Notice for a first offence. Such exceptional circumstances could be where the unauthorised absence had been for an extended period of time and condoned by the parent.
14. Headteachers and police officers should only issue a Penalty Notice following consultation, discussion, reflection and joint decision with a County Council Education Welfare Officer.
15. The Education Welfare Officer will not agree to sanction the issuing of a Penalty Notice unless he/she considers that with regard to the offence to which it relates there is sufficient evidence to secure a conviction under Section 444 of the Education Act 1996. Evidence could be letters sent to parent, minutes of meetings and record of telephone conversations.
16. A maximum of three Penalty Notices may be served on any one parent over a 12- month period.
17. There is no statutory right of appeal against the issuing of a Penalty Notice. A parent should therefore, if possible, be given warning of the possibility of a notice being issued in order to allow him/her to make representations should he/she wish to do so.

2B Authority to Issue a Penalty Notice

18. An Education Welfare Officer may issue a Penalty Notice to the parent of a child who is a registered pupil at a school in Cambridgeshire or who is a registered pupil at a school in an authority, which has an agreement to that effect with Cambridgeshire County Council.
19. A headteacher or an authorised deputy or assistant headteacher may issue a Penalty Notice to the parent of a child who is registered at his/her school, in consultation with a CCC Legal Panel.
20. A police officer, including a community support officer or other accredited person, may issue a Penalty Notice.
21. Headteachers and police officers should comply with the terms of this Code of Conduct when issuing a Penalty Notice and should provide a copy of any notice issued to the relevant Education Welfare Officer.

3B Form and Content of Penalty Notices

22. A Penalty Notice should give the following particulars alleged to constitute the offence to which the notice relates and should contain:
 - a) the name and address of the person to whom the notice is issued;

- b) the name and address of the child who is failing to attend school regularly and the name of the school at which he/she is a registered pupil;
- c) the name, title and official details of the authorised person issuing the notice;
- d) the date of the offence and of the issue of the notice;
- e) the amount of the penalty which is to be paid and details of the timescales and any variation involved;
- f) the address of the County Council office at which the penalty is to be paid and to which any correspondence relating to the notice may be sent;
- g) the method/methods by which payment may be made;
- h) the specified period within which the penalty should be paid;
- i) a statement that full payment within the specified period will discharge any liability for the offence;
- j) an explanation of the consequences should the penalty not be paid in full before the expiry of the specified period;
- k) an explanation of the grounds on which the notice may be withdrawn.

23. Should there be more than one person liable for the offence a separate notice should be issued to each person.

24. Should the offence involve more than one child a separate notice should be issued for each child.

Service of Penalty Notices

25. A Penalty Notice may be served by:

- a) giving it to the recipient; or
- b) leaving it at the recipient's usual or last-known address; or c) sending it to the recipient at that address by first-class post.

26. Service by post is deemed to have been effected, unless the contrary is proved, on the second working day after posting the notice by first-class post.

Failure to Pay a Penalty Notice

27. Should the recipient of a Penalty Notice fail to pay the full amount before the expiry of the period for paying it the County Council will either begin proceedings against the parent under Section 444 of the Education Act 1996 or withdraw the notice in accordance with specified conditions (see section 29 below).

28. A certificate signed by the Attendance & Behaviour Manager to the effect that the recipient of a Penalty Notice has or has not paid the amount due on or before the date specified should be retained and presented as evidence in any subsequent Section 444 Education Act 1996 proceedings.

Withdrawal of a Penalty Notice

29. A Penalty Notice may be withdrawn by the County Council, regardless of whom within the authority issued it, if it is deemed that:

- a) the notice ought not to have been issued (i.e. where it has issued outside of the terms of this Code of Conduct or where no offence has been committed); or
- b) the notice ought not to have been issued to the person named as the recipient.

30. Should a Penalty Notice be withdrawn:
- a) notice of the withdrawal should be given to the recipient;
 - b) any amount already paid by the recipient should be reimbursed;
 - c) any proceedings under Section 444 of the Education Act 1996 instituted against the recipient should be discontinued.

Retention of Receipts and Revenue Collection

31. The County Council will retain all revenue from the issuing of Penalty Notices in order to cover the costs of issuing and enforcing notices and the cost of prosecuting those recipients of the notices who fail to pay.
32. The County Council will produce an annual audit statement as part of its usual audit procedures in order to show that income received from Penalty Notices does not exceed enforcement costs as defined above. Any surplus acquired will be surrendered to a consolidated fund.

PENALTY NOTICE

SECTION 444A EDUCATION ACT 1996

Please read the notes overleaf.

PART 1

If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school, his/her parent is guilty of an offence under Section 444 of the Education Act 1996.

To: (Title) (Forenames)
..... (Surname)

Date of birth (if known): Of: (Address)

.....

..... (Postcode)

.....

You are a parent of (name and address of pupil) (called in this notice "the pupil") who is a registered pupil at (name of school).

Between (date) and (date) the pupil failed to attend regularly at the school.

This notice gives you the opportunity to pay a penalty fine instead of being prosecuted for the offence given above. The amount of the penalty is £60/£120 in accordance with the table overleaf. If you pay this penalty within the time limits set out below, no further action will be taken against you in connection with the offence as set out in this notice.

Payment should be made within 21 days. If paid after 21 days but within 28 days the penalty is doubled to £120. Payment should be made to an Education Welfare Officer at one of the following addresses:

(Insert address at which payment should be made)

Payment may be made by post or in person. (Offices are open from 9 a.m. to 5 p.m. Monday to Thursday and from 9 a.m. to 4 p.m. on Friday). Cheques should be made payable to Cambridgeshire County Council. Should you wish to make payment in person, you are required to telephone the appropriate office in order to make a mutually convenient appointment.

Late or part payments will not be accepted and no reminders will be sent. If payment is not received by (insert date 28 days from date of issue), you may be prosecuted for the offence and could be subject to a fine of up to £2,500 and/or up to 3 months in prison.

This notice is issued by: (name) (title)
.....

Organisation: Date:

PART 2

Please complete the following and return this notice to one of the addresses overleaf.

Name: Address:

.....

..... I attach payment in the sum of:

..... Signed:

Date:

.....

Received the sum of £..... in relation to a Penalty Notice issued

on in respect of (name of child)

Dated..... Signed.....

Name..... (Please print)

Title.....

(A copy of this receipt should be sent to all parties subject to the Notice and a copy retained on file)

Appendix 1

Suggested letter, which schools may wish to consider using to notify parents of the new discretionary power given to headteachers to serve Penalty Notices in relation to non- school attendance.

Dear Parent

Penalty Notices in Relation to Non-School Attendance

You may be aware that legislation has given headteachers (as well as police officers and Education Welfare Officers) the power to serve Penalty Notices on parents who permit their children to truant or who take their children out of school without the school's prior authorisation. I of course do appreciate the fact that the vast majority of our parents fully support their children's regular attendance at school but I am writing in order to ensure that this discretionary power is properly explained to all parents so that any unnecessary misunderstandings can be avoided.

A Penalty Notice involves a fine of £60 if paid within 21 days, rising to £120 if paid within 28 days. Should a parent on whom a notice is served fail to pay the full amount of the fine within the specified time he /she will be liable to prosecution in a Magistrates court where on conviction a sentence of a fine of up to £2,500 or up to three months in prison may be imposed. Penalty Notices may only be served in accordance with the terms of the County Council's local Code of Conduct, a copy of which is retained by the school.

In making any future decision as to whether it is appropriate for the school to utilise this discretionary power I will consult with the Education Welfare Officer and will consider the seriousness of an individual child's non-attendance and the response of his/her parent.

I would like to reiterate my appreciation of the efforts of the vast majority of our parents who successfully ensure their children's regular attendance.

Yours sincerely

Headteacher

Schools may wish to amend the language and tone of this letter in order to meet their own particular circumstances.

Schools Attendance

Background

This paper should be read in conjunction with the Penalty Notice Code of Conduct.

Introduction

The use of sanctions is a critical part of the toolkit available to every Education Welfare Officer and should be utilised alongside other strategies. The decision to apply a Penalty Notice must be based on clear threshold criteria, **further information can be obtained from your Education Welfare Officer who will offer advice and guidance.**

It's a requirement for schools to have developed a bespoke Attendance Policy that highlights the use of Penalty Notices.

Attendance at 85% and below over previous **4** weeks – warning letter to parents that if attendance doesn't improve over monitoring period a PN maybe be applied – school to discuss cases with EWO

Threshold Criteria:

Unauthorised absence pattern developing

Attendance at 85% and below over previous 6 weeks – referral to Education Welfare Officer who may apply a PN as an alternative to prosecuting through magistrate courts (PC* & PACE* process followed)

Ongoing unauthorised absence

Evidence that child has been taken out of school for the purpose of going on holiday. Education Welfare Officer will warn parent/s that that if attendance doesn't improve over the monitoring period a PN will be applied (Formal Warning letter sent)

Holiday in term time

History of good attendance & no pervious issues with term time holidays being taken

Evidence that child has been taken out of school for the purpose of going on holiday.

Education Welfare Officer will apply a PN

Existing/previous attendance issues

Unauthorised leave in previous term/years

Attendance at 85% and below over previous **4** weeks – referral to Education Welfare Officer who will warn parents that if attendance doesn't improve over monitoring period a PN will be applied

Pupils Persistently late

i.e after registers closed ('U' code)

Evidence of when child seen in public place – referral to Education Welfare Officer.

Penalty Notice will be applied

Pupils Excluded

Found in public place during school hours, in the first 5 days of exclusion

*** Parenting Contracts**

Parenting Contracts for irregular school attendance have been developed in response to the provisions of Section 19 Anti-Social Behaviour Act 2003. Parenting Contracts are in line with the philosophy behind the Children Act 1989 which emphasises that Local Authorities must make every attempt to work in partnership with parents to avoid instituting Court action wherever possible. Parenting Contracts are intended to:

- Improve the pupil's attendance to an acceptable level by identifying obstacles and agreeing a plan to overcome them
- Agree details of how to achieve change through determined actions
-

Following the Parenting Contract meeting should these objectives not be met, a PACE Interview under caution will be held to help provide a formal process whereby consideration can be given to the institution of action either under the Children Act 1989 or the Education Act 1996.

**** The PACE interview**

Should a student's attendance fail to improve, in spite of help from the school and an EWO, parents will be invited to a formal PACE interview held under Caution. Before a meeting begins parents will be formally cautioned under the Police and Criminal Evidence Act 1984.(PACE)