



# School Attendance Policy

**Name of school:**

The Mark Way School

**Policy approved and adopted:**

This policy was reviewed by the Attendance lead and approved by the Headteacher in spring 2022

**Person(s) responsible for implementing and monitoring the policy:**

Lester Culley

**Due for review:**

This policy is due for review in Spring 2023 or earlier if required

**National guidance**

The Policy uses National Guidance as well as support documents from Hampshire Local Authority. It is designed to ensure that the school and its families are aware of the requirements of and methods to support Good Attendance in line with Government Policy.

As Guidance is regularly updated sources of information are best found at:

<http://www3.hants.gov.uk/education/hias/learning-behaviour-attendance/lba-resources-for-schools/atten-guidance/attendance-guidance-for-schools.htm>

This has links to the latest information from the DfE.



# School Attendance Policy

## Section 1

### Rationale/statement of intent

Good school attendance has a positive impact on student achievement. Data shows that attendance of over 95% increases future success academically, socially and economically. Regular school attenders develop their value of key adult life skills such as maintaining relationships and having a good work ethic.

The school is committed to working with families to support good attendance as part of our value system which recognises the needs of the individual and the promotion of high- quality learning.

We provide a safe and supportive environment and place a high value on quality teaching and learning. We aim for 100% attendance and convey consistent messages on the importance of regular and punctual attendance.

## Section 2

### 2.1 Promoting good attendance and punctuality

The Home/School Agreement details how we will work with families to promote good attendance and the learning ethos.

We will keep families, pupils up to date regarding attendance by:

- Using established school communication systems to keep families informed
- Using the Tutor System to talk with pupils
- Early contact with families if issues are arising
- Celebration of attendance weekly in assembly
- Certificates Annually for high-achieving attendees (over 98%)
- Setting targets for attendance for groups and individuals.

### 2.2 Roles and Responsibilities

The Attendance Lead in school will take responsibility with support from the Leadership Team for implementing the Policy. They will analyse data on attendance use information to support target setting and focus on good attendance for school, groups and individuals. They will report to Governors and others as required by the Headteacher.



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## Section 3

### 3.1 Recording attendance

There is a legal requirement for the Register to be marked twice daily. It is marked, at the start of the day, at 8.40 am and at 1.10 pm

## Section 3

### 3.2 Lateness/punctuality

Punctual arrival in school establishes the good conduct needed for pupils to achieve their best. The start of school sessions is an important time for the students to be given key information. The school believes that punctuality is necessary for pupils to make the best progress that they can.

Students are registered on arrival at 8.40am, anyone arriving after that and before 9.00am will be marked as late, the register closes at 9.00am.

Attendance after that time will be recorded as unauthorised unless there has been an alternative prior arrangement made with the family.

Lateness before or after the register closes will be recorded as Unauthorised unless there is an arrangement. Such arrangements could be for a Medical Appointment and these would be recorded as an Authorised Absence.

Families should note that Medical and Dental Appointments are encouraged to be made outside of school hours where possible.

Ongoing and persistent lateness causes disruption to the learning for all. The school will work with families to improve punctuality. Where there is no improvement this will be subject to legal action as it is recorded as Unauthorised. (see Section 6)

## Section 3

### 3.3 What to do if children are absent?

#### First day absence

Families should contact the school on the first day of absence. The school telephone system will record absences if families phone "out of hours".

Should no contact be made the school will endeavour to make contact.



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If your child is frequently absent from school due to sickness, the school can ask that you provide medical evidence or they may have to stop authorising the absences. This does not mean that the school do not believe you or your child, but that they want to do the best for you by ensuring your child can attend school as much as possible, providing extra support such as accessing the school nursing team if needed.

## **Third day absence**

There are Safeguarding issues if pupils are missing from school. If your children are not seen and contact has not been established with any of the named parents/carers, after three days of absence the school is required to start *child missing in education* procedures as set down by Hampshire County Council guidance. We will make all reasonable enquiries to establish contact with parents/carers and the child, including making enquires to known friends and wider family.

## **Ten days' absence**

We have a legal duty to report the absence of any pupil who is absent without an explanation for 10 consecutive days. If the child is not seen and contact has not been established with the named parent/carer then the local authority is notified that the child is *at risk of missing*. Children's Services staff will visit the last known address and alert key services to locate the child. So, help us to help you and your child by making sure we always have an up-to-date contact number. There will be regular checks on telephone numbers throughout the year.

Note: the school would not normally wait for this length of time before making investigations due to the vulnerable nature of the children and families we can be working with.

## **Continued Absence**

When a child's attendance drops below 80% at any time during the Autumn Term & 90% the remainder of the school year, they will be recorded as "Persistently Absent" and, as such, the school will initiate a dialogue with families to establish how improvements can be made. There are a range of strategies that will be used to support an improvement which are consistent with other school Policies and Procedures and we will use established methods to ensure good communication with families.

## **Timeline for Continued Absence Actions**

- Absence is identified by Attendance Lead in school and information is shared with the pupil's tutor.
- Tutor talks with pupil and with family to discuss attendance issues.
- Should attendance not improve a letter will be sent to the family by the Attendance Lead offering support and informing them of the need to improve.
- Should attendance not improve the family will be invited to attend a meeting in school to discuss the issues and to set improved attendance targets.
- Should attendance not improve further action may be taken in line with legal requirements for good attendance (see Section 6).



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## Section 4

### Request for leave of absence

The Regulations regarding School Attendance were updated and enforced in September 2013.

The Headteacher is not legally allowed to grant any leave of absence during the school term unless there are exceptional circumstances. The fundamental principal for defining “exceptional” are rare, significant or unavoidable which means that the event could not be scheduled at another time. There are no rules for this as circumstances vary from family to family.

Despite historical belief to the contrary there is no legal entitlement for term time holiday and this will not normally be authorised. Absence for holiday during term time affects pupil’s learning and progress as much as any other form of absence and families should support the school by not expecting to take pupils out of school during term time.

Requests for Leave of Absence should be made to the school office and the Headteacher will make the final decision on whether to authorise the absence.

Unauthorised absence during term time will count in the threshold for Legal Action (see Section 6).

## Section 5

### Understanding types of absence – authorised and unauthorised

There are two main categories of absence:

- Authorised: is when the school has accepted the explanation offered as satisfactory and within the law. i.e. as per NHS guidelines and school policy  
Vomiting and diarrhoea: Children should definitely be kept off school until at least 48 hours after their symptoms have gone.
- Where no explanation is given absences are Unauthorised.
- Unauthorised: is when the school has not received an explanation or has not approved the pupil’s absence from school. This includes:
  - Unnecessary absence for shopping, birthdays, looking after siblings etc
  - Truancy before or during the school day
  - Unexplained absences

The school can change the absence code if further information is presented. For example a pupil has been recorded as Authorised (unwell) but this could be changed to Unauthorised if there is evidence that they have been on holiday.



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## Section 6

### Penalty Notices for non-attendance and other legal measures

In education law, parents/carers are committing an offence if they fail to ensure the regular attendance of their child of compulsory school age at the school at which the child is registered, unless the absence has been authorised by the school.

### Legal measures for tackling persistent absence or lateness

Hampshire schools and Hampshire County Council will use the full range of legal measures to secure good attendance. Legal measures will only be considered when there is unauthorised absence and:

- 1 The child or family do not require the support from any agency to improve the attendance.
- 2 The child has 10 or more sessions of unauthorised absence and parents are complicit in the child's absence.

The following legal measures will be used for pupils of compulsory school age who are registered at a school:

- Parenting Contracts set at Education Planning Meetings (voluntary)
- Parenting Orders (targets for improvement set and monitored)
- Penalty Notices (£60 per responsible adult per child)
- Education Supervision Orders (Child attends Court and enforceable targets put in place – this would mostly be for pupils who truant i.e. leave home but do not arrive at school or leave school without permission)
- Prosecution (Magistrates Court with fines up to £2500, Community Orders or Custodial Sentences)

Where a child has **unauthorised absence** the school must enforce Hampshire County Council's *Code of conduct: issuing Penalty Notices for unauthorised absence from schools* or follow its guidance on other legal measures for non-attendance. The *Code of Conduct* is a statutory document that ensures that powers for legal sanctions are applied consistently and fairly across all schools and their families within the authority. A copy is available from [www.hants.gov.uk/education/hias/learning-behaviour-attendance/attendance-guidance-for-parents/possible-penalties](http://www.hants.gov.uk/education/hias/learning-behaviour-attendance/attendance-guidance-for-parents/possible-penalties).



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## **Penalty Notices for non-attendance – Hampshire's *Code of Conduct***

The *Code of Conduct* states that:

Schools or Hampshire County Council will issue a Penalty Notice for any unauthorised absence where the pupil has been:

- absent for 10 or more half-day sessions (five school days) of unauthorised absence during any 100 possible school sessions – these do not need to be consecutive (codes *G*, *U* or *O* on the register)
- persistently late (coded *U*) for up to 10 sessions (five days) after the register has closed
- persistently late before the close of the register (coded *L*), but the school has met with parents and has clearly communicated that they will categorise as unauthorised any further lateness (code *O*), and where the threshold of 10 sessions (five days) has been met
- absent for any public examinations of which dates are published in advance
- absent for any formal school assessments, tests or examinations where the dates have been published in advance

The above is a requirement unless the issuing of a Penalty Notice would conflict with other intervention strategies in place or other sanctions already being processed.

## **Legal measures for absence taken when the Headteacher has declined parents/carers' request for leave of absence**

Where a pupil has unauthorised absence due to either:

1. non-approval of a parent/carer's request for leave of absence or
2. a holiday that has been taken without permission

and the unauthorised absence (coded *G*) is for 10 or more sessions (five days) in any 100 possible school sessions/10 weeks period then a Penalty Notice for non-attendance will be issued.

## **If a child has other types of unauthorised absence (coded *O* and *U*) and the family or child do not require any agency support to improve the attendance, then a single Penalty Notice is issued for either:**

1. 10 sessions (five days) of unauthorised absence or lateness in any 100 possible school sessions/10 weeks school period
2. one or more sessions of unauthorised absence during a public exam, formal school assessment or testing where dates are published in advance.

Parents and carers will be warned of the likelihood of a Penalty Notice being issued for unauthorised absence via a letter, through the leave of absence request form, or through the school's attendance policy and website. The Penalty Notice is a fine that is issued to each parent/carer who condoned (or was responsible for the child) during the period of unauthorised absence for which the fine has been issued. For each case of unauthorised absence, the school or Hampshire County Council will decide whether a Penalty Notice is issued **to one or more parents/carers** for each child. **NB:** This could mean four Penalty Notices for a family with two siblings both with unauthorised absence for holiday, ie one Penalty Notice for each child to each parent.



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Each Penalty Notice carries a fine of £60 if paid within 21 days of the Penalty Notice being posted. If the fine is not paid within 21 days the penalty is automatically increased to £120 if paid within 28 days. If the fine remains unpaid Hampshire County Council will consider prosecution for the non-attendance. Payment methods are detailed on the Penalty Notices themselves. Penalties are to be paid to Hampshire County Council and revenue resulting from payment of penalties is used by the County Council to help cover the costs of issuing Penalty Notices and/or the cost of prosecuting recipients who do not pay.

**Please note:** If the Penalty Notice is paid and your child has further unauthorised absences additional legal action will be taken. For example, in the event that a Penalty Notice has previously been served to you due to unauthorised holiday, should your child have any future unauthorised leave this will result in further legal action for you, such as prosecution or an Education Supervision Order.

For further information parents/carers can request a leaflet from their school and should visit Hampshire County Council's website at: [www.hants.gov.uk/education/hias/learning-behaviour-attendance/attendance-guidance-for-parents/possible-penalties](http://www.hants.gov.uk/education/hias/learning-behaviour-attendance/attendance-guidance-for-parents/possible-penalties).

## Hampshire's Legal Intervention Team – LIT North

Hampshire County Council will, through its LITs, carry out its responsibility to act on behalf of its schools under Section 443: failure to comply with school attendance order and Section 444: failure to secure regular attendance at school of registered pupil; of the Education Act 1996. In addition, the County Council's Legal Intervention Team will also process Education Supervision Orders – Section 447 Education Act 1996; and School attendance orders – Section 437 Education Act 1996.

## Principal aims

The purpose of the panel is to consider if it is appropriate to pursue legal action on cases presented by schools and to ensure that the evidence provided is robust and unambiguous enough to be presented in court. The panels will be scheduled at least 11 times during the year (there is no panel during August) to a schedule that meets the needs of the district.

## The panel process

When attendance levels reach 10 unauthorised absences in a 100 session period, the threshold for legal action has been reached. If prosecution is deemed appropriate, then the Attendance Legal Panel referral form is completed and sent to the appropriate Early Help Hub. The referrer will then be given a time and date to attend the panel where they must present the case.



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## Parenting contracts

A Parenting Contract is a formal, written and signed agreement between parents/carers and either the Local Authority or the Governing Body of a school and should contain:

- a statement by the parents/carers that they agree to comply for a specified period with whatever requirements are set out in the contract, and
- a statement by the Local Authority or Governing Body agreeing to provide support to the parents/carers for the purpose of complying with the Contract.

Parenting Contracts are agreed at Education Planning Meetings at Hampshire's Attendance Legal Panels and can be used in cases of serious misbehaviour or irregular attendance at school or alternative provision. Parenting Contracts are voluntary, but any non-compliance should be recorded by the school or local authority as it may be used as evidence in court where an application is made for a Behaviour Parenting Order.

## Section 7

### 7.1 Advice for Parents

The school will work closely with families to support good Attendance. This means that the school will allocate time and resources to enable families to be confident that their children will meet the necessary attendance targets. The tutor is the first point of contact for families who have concerns. The tutor will either be able to liaise directly or will be able to refer the family to the most appropriate member of school staff.

Pupils can have attendance issues for a variety of reasons and the school will listen carefully to the needs of families and thereafter offer the best available support the school can offer. Issues of relationships, anxiety, medical needs, bullying, Special Education Needs and personal family matters can all be reasons for reduced attendance. The school has a range of staff available who will work with families on these issues, and others, to best support pupil's attendance.

The school always has to work within the Law.



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## **Parents can Encourage Good Attendance by:**

- Showing in interest in children's work and study.
- Asking questions related to school.
- Ensuring that children have a good night's sleep.
- Ensuring that children are dressed in school uniform.
- Encouraging good school attendance as a life skill for work in the future.

## **7.3 Absence through child participation in public performances, including theatre, film or television work and modelling**

Families of a child performer can seek leave of absence from school for their child to take part in a performance. They must contact the Headteacher to discuss the nature and frequency of the work, whether the child has a valid performance licence and whether education will be provided by the employer during any future leave of absence. It is, however, down to the Headteacher's discretion as to whether to authorise this and they will wish to discuss with you the nature and frequency of the absence and how learning will continue if absence occurs. Any absence recorded as part of a child's participation in a public performance is recorded as C, an authorised absence.

## **7.4 Absence through competing at regional, county or national level for sport**

Parents of able sportsmen and women can seek leave of absence from school for their child to take part in regional, county, national and international events and competitions. It is, however, down to the Headteacher's discretion whether to authorise this and they will wish to discuss with you the nature and frequency of the absence and how learning will continue if absence occurs. Permission for your child to leave early or arrive late to attend coaching and training sessions is also at the discretion of the Headteacher and is not likely to be approved if it is a regular event, unless the sports club or association is providing an education tutor as part of their coaching.



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## 7.5 Gypsy, Roma, Traveller and Showman families

Absence of a child from a Traveller family that has left the area may be authorised if the absence is for **work purposes only** and it is believed that the family intends to return. To ensure the continuity of learning for Traveller children, dual registration is allowed. That means that a school cannot remove a Traveller child from the school roll while they are travelling. When the Traveller is away the home school holds the place open and records the absence as authorised through the *T* code. Distance learning packs for Traveller children are not an alternative to attendance at school.

## 8.1 Record preservation

School registers are legal documents. We will ensure compliance with attendance regulations by keeping attendance records for at least three years. Computer registers will be preserved as electronic back-ups or microfiche copies



# School Attendance Policy

## Appendices

### The law

The Education Act 1996, Part I, Section 7 states:

*“The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable:*

- a) to his age, ability and aptitude and*
- b) to any special needs he may have*

*either by regular attendance at school or otherwise.”*

For educational purposes the term *parent* is used to include those that have parental responsibility and/or those that have the day-to-day care of the child.

The legislation that appertains to children who are of compulsory school age and are registered at school is contained within this Act.

Part VI, Section 444 contains the details of when an offence is committed if a child fails to attend school.

### Register and admission roll keeping

The legal requirements are found in: The Education (Pupil Registration) (England) Regulations 2006.

### Guidance documents on attendance

The following Department for Education documents are used to guide attendance recording:

- *Absence and attendance codes* (guidance for schools and local authorities)
- *Keeping pupil registers* (guidance on applying the Education Pupil Registration Regulations).

These and other guidance documents are available on the Department for Education website.

Hampshire County Council guidance is available on Hantsweb at:

[www.hants.gov.uk/education/hias/learning-behaviour-attendance/lba-resources-for-schools/atten-guidance/attendance-guidance-for-schools](http://www.hants.gov.uk/education/hias/learning-behaviour-attendance/lba-resources-for-schools/atten-guidance/attendance-guidance-for-schools).