

 The Talentum Learning Trust		Trust Policy Document			
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Audience:	Trustees <input checked="" type="checkbox"/>	Staff <input checked="" type="checkbox"/>	Pupils <input checked="" type="checkbox"/>	Local Governing Bodies <input checked="" type="checkbox"/>	
	Parents <input checked="" type="checkbox"/>	General Public <input checked="" type="checkbox"/>			

Attendance Policy

AIMS

Our attendance policy aims to:

- support pupils/students and their parents/carers in the establishment of the highest possible levels of attendance and punctuality;
- ensure that all pupils/students have full and equal access to the best education that we can offer in order to increase learning;
- enable pupils/students to progress smoothly, confidently and with continuity through the schools;
- make parents/carers aware of their legal responsibilities;
- ensure attendance meets Government and Local Authority targets

This policy has been devised in consultation with Staff, Governors, Children and Parents.

BEING AT SCHOOL

School education lays the vital foundations of a child's life. Research clearly demonstrates the link between regular attendance and educational progress and attainment. Parents/carers and the Trust staff should work in partnership in making education a success and in ensuring that all children have full and equal access to all that our schools have to offer.

As a Trust, we will encourage parents and carers to ensure that their child achieves maximum possible attendance and that any problems that prevent this are identified and acted on promptly. As parents, it is their responsibility to ensure that their children arrive at school and return home safely.

EXPECTATIONS

We expect that all pupils/students will:

- attend school every day
- attend school punctually
- attend appropriately prepared for the day
- discuss promptly with their class teacher/tutor, support staff or school office any problems that may affect their school attendance.

We expect that all parents/carers will:

- ensure regular school attendance and be aware of their legal responsibilities
- ensure that their child arrives at school punctually and prepared for the school day
- ensure that they contact the school **daily** on absence or if known in advance, whenever their child is unable to attend school.

- contact school promptly whenever any problem occurs that may keep their child away from school.
- notify the school of any home circumstances that might affect the behaviour and learning of their child.
- notify school immediately of any changes to contact details.

We expect that the school will:

- provide a welcoming atmosphere.
- provide a safe learning environment.
- provide a sympathetic response to any child's or parent's concerns.
- keep regular and accurate records of AM and PM attendance and punctuality, monitor individual child's attendance and punctuality.
- contact parents when a child fails to attend and where no message has been received to explain the absence.
- follow up all unexplained absences to obtain explanations from parents. Although parents may offer a reason, only the school can authorise the absence. In the case of long term or frequent absence due to medical conditions, verifications from a GP or other relevant body may be requested.

Example Authorised absences:	Example Unauthorised absences:
<ul style="list-style-type: none"> • genuine illness of the pupil/student; • hospital/dental/doctors appointment for the pupil/student; • visits to prospective new schools • external exams or educational assessments. 	<ul style="list-style-type: none"> • shopping /day trip / visit to a theme park; • a birthday treat; • oversleeping due to a late night; • looking after other children / other family member; • appointments for other family members.

- encourage good attendance and punctuality through a system of reward and recognition.
- regularly inform parents of the % attendance of all pupils/students.
- make initial enquiries regarding pupils/students who are not attending regularly.
- meet regularly with the Education Welfare Officer (EWO) to monitor and support school attendance and punctuality.
- refer irregular or unjustified patterns of attendance to Education Welfare. Failure by the family to comply with the planned support set by Education Welfare may result in further actions, e.g. a Penalty Notice, parental prosecution or an application for an Education Supervision Order.
- Will notify the Local Authority (LA) after 15 days sickness.
- Will notify EWO after 10 days unexplained absence.

REGISTERS, PUNCTUALITY AND LATENESS

Punctuality to school is crucial. Lateness into school causes disruption to that individual's learning and to that of the other students in the class. It is paramount therefore that all pupils/students arrive at school on time.

- By law, schools must take a morning and afternoon register and record the attendance or absence of every pupil/student.
- Registration takes place in the morning at:
 - Churnet View Middle School at 8.55am and students who arrive after 9.00am will be recorded as late to school.
 - Leek High School at 9.05am and students who arrive after 9.10am will be recorded as late to school.
 - Westwood College at 8.55am and students who arrive after 9.00am will be recorded as late to school
- Registers close at 9.20am and after this lateness is recorded as an unauthorised absence and can be subject to prosecution by the local authority.
- Registration takes place in the afternoon at the start of the first afternoon session at:
 - Churnet View Middle School at 1pm.
 - Leek High School at 1.45pm.
 - Westwood College at 1.40pm.
- Pupils/students arriving late to school must enter via reception and sign in giving a reason to explain their lateness.
- Persistent lateness by a pupil/student will be dealt with through the home/school link worker and may be referred to Education Welfare.
- Pupil/student attendance and punctuality is recorded on their report and will be passed on to future schools as necessary.

STUDENT LEAVING DURING THE SCHOOL DAY

During school hours the school staff are legally in loco parentis and therefore must know where the pupils/students are during the school day.

- pupils/students are not allowed to leave the premises without prior permission from the school.
- whenever possible, parents should try to arrange medical and other appointments outside of school time.
- parents are requested to **confirm in writing**, by letter or email, the reason for any planned absence, the time of leaving, the expected return time.
- pupils/students must be signed out on leaving the school and be signed back in on their return.
- where a pupil/student is being collected from the school, parents are to report to the school office before the pupil/student is allowed to leave the site.
- all pupils/students leaving with permission will be given a written authorisation slip by the school.
- if a pupil/student leaves the school site without permission their parents will be contacted. *Should the school be unable to make contact with the family it may be appropriate, in certain circumstances, to contact the Police and register the students as a missing person.*

LEAVE OF ABSENCE

The school holiday dates and end of Key Stage Assessment dates are published a year in advance and leave of absence **will not** be authorised during these assessment periods. INSET days are published as soon as the Trust have agreed these, but may be subject to change.

In line with the Government's amendments to the 2006 regulations (appendix one), holidays during term time will NOT be authorised. The Headteacher's and Local Governing Bodies have determined that:

- in **exceptional circumstances** permission may be granted for a maximum of five days of holiday providing your child has a good (95% or higher) attendance record over the previous three terms.
- where leave of absence in term time is due to exceptional circumstances, an application form must be requested from the school office and submitted for consideration by the Headteacher on behalf of the Governors, no less than 4 weeks prior to the requested date. Consideration will then be given to the student's previous school attendance and that the time requested does not exceed five school days in any one academic year.
- if leave is taken without prior authorisation by the school, it will be recorded as an unauthorised absence and Education Welfare will be notified.

PENALTY NOTICES

The Trust follows Staffordshire County Council's Penalty Notice Code of Conduct when making a Penalty Notice referral (appendix two).

Penalty Notices can be issued for unauthorised leave and may also be issued if a parent / carer fails to ensure regular school attendance.

Penalty Notices for Holidays

In accordance with guidance from Staffordshire County Council, holidays during SATS and other external exam periods will not be authorised by the school and a Penalty Notice may be issued.

In line with the amendments made to The Education (Penalty Notices) (England) Regulations 2007 please note the following:

- The Headteacher can now request that the Local Authority issue a Penalty Notice to parents, when students are taken out of school for 5 or more day's holiday or leave of absence without school authorisation.
- The amount payable on issue of a Penalty Notice is £60 if paid within 21 days of receipt of the notice, rising to £120 when paid within 28 days.
- If the Penalty Notice is not paid within 28 days the local authority is then obliged to prosecute for failing to ensure regular school attendance.
- Penalty notices are issued to **each** parent, for each child.

FAILURE TO ENSURE REGULAR SCHOOL ATTENDANCE

The Trust holds regular attendance panels in conjunction with the EWO, any parents whose children are identified as a cause for concern will be invited to attend. If there is no improvement in school attendance the Trust will refer to EWO who work in partnership with school and parents in support of pupils/students who are failing to attend school on a regular basis.

Education Welfare may also issue a Penalty Notice to parent / carers who are failing to secure their Child's regular school attendance and are not engaging with supportive measures to improve attendance proposed by the school or Education Welfare Officers. Before a Penalty notice is issued, parents will be warned of their liability to receive such a notice.

CHANGING SCHOOLS

It is important that if families decide to send their child to a different school that they inform our schools as soon as possible.

A pupil/student will not be removed from the school roll until the following information has been received and investigated:

- The date the pupil/student will be leaving the school and starting the next
- The address of the new school
- A new home address if appropriate

The pupils/students school records will then be sent to the new school. In the event that the school has not been informed of the above information, the family will be referred to the local authority Tracking Officer and Education Welfare.

Appendix One

The Education (Student Registration) (England) Regulations 2006

Amendments have been made to the 2006 regulations in the Education (Student Registration) (England) (Amendment) Regulations 2013. These amendments, as described below, will come into force on 1 September 2013.

Term-time holiday

The Education (Student Registration) (England) Regulations 2006 currently allow Headteachers to grant leave of absence for the purpose of a family holiday during term time in “special circumstances” of up to ten school days leave per year. Headteachers’ can also grant extended leave for more than ten school days in exceptional circumstances.

Amendments to the 2006 regulations remove references to family holiday and extended leave as well as the statutory threshold of ten school days. The amendments make clear that Headteachers may not grant any leave of absence during term time unless there are exceptional circumstances. Headteachers should determine the number of school days a child can be away from school if the leave is granted.

The Education (Penalty Notices) (England) Regulations 2007

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

The 2007 regulations set out the procedures for issuing penalty notices (fines) 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 if they pay within 28 days; or £120 if they pay within 42 days.

Amendments to 2007 regulations will reduce the timescales for paying a penalty notice. Parents must, from 1 September 2013, pay £60 within 21 days or £120 within 28 days. This brings attendance penalty notices into line with other types of penalty notices and allows local authorities to act faster on prosecutions

STAFFORDSHIRE COUNTY COUNCIL Families First Targeted Services

STAFFORDSHIRE LOCAL AUTHORITY Code of Conduct for issuing Penalty Notices

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 are one of the sanctions available for this offence and offer a means of swift intervention, which can be used to combat attendance problems before they become entrenched.

Parents and children will be supported by their school/alternative provision, the Local Support Teams for Targeted Services and, as appropriate, other Partner Agencies, to overcome barriers to regular attendance, through a range of intervention strategies.

Therefore, Penalty Notices and other sanctions will only be used where parental co-operation with this process is either absent or deemed to be insufficient to resolve the problem. They will be used as a means to support and challenge parents to meet their legal responsibilities and where there is a reasonable expectation that their use will secure improved school attendance.

Legal Framework:

Section 444A of the Education Act 1996 (as inserted by section 23 of the AntiBehaviour Act 2003) empowers designated Local Authority (LA) officers, head teachers (as well as deputy and assistant head teachers authorised by them) and the Police to issue Penalty Notices in cases of unauthorised absence from school.

The Education Penalty Notices (England) Regulations 2007

The Education and Inspections Act 2006.

The issuing of Penalty Notices must conform to all requirements of the Human Rights Act 1998 and the Equality Act 2010.

Section 444 of the Education Act 1996 makes it an offence if a parent fails to secure their child's regular attendance at school at which they are registered, if that absence is not authorised by the school. Penalty Notices supplement the existing sanctions currently available under s444 Education Act 1996 or s36 Children Act 1989 to enforce attendance at school where appropriate.

As a result, the Local Authority has responsibility for developing a local code of conduct 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.
- Use of a Penalty Notice or formal warning of a Penalty Notice for unauthorised absence will be restricted to one notice/ warning per parent of a pupil per academic year¹.
- There will be no limit on the times a Penalty Notice for unauthorised leave of absence can be used in an academic year.
- In cases where there is more than one pupil in a family with unauthorised absences, Penalty Notices may be issued for more than one child.
- The presence of an excluded child in a public place at any time during school hours in the first five days of exclusion.

Penalty Notices may be considered appropriate if one of following criteria is met:

- There are at least 20 sessions (10 school days) lost due to unauthorised absence during the current and previous term. These absences do not need to be consecutive.²
- For unauthorised leave of absence, there must be a minimum of 2 sessions of unauthorised leave of absence (due to unauthorised leave in term or time been absent for longer than was agreed) within the total of 10 sessions of unauthorised absence required prior to issuing the penalty notice. These unauthorised absences do not need to be consecutive and should be calculated from the previous rolling calendar year.²
- Persistent late arrival at school, i.e. after the register has closed, in the current and previous term. "Persistent" means at least 20 sessions of late arrival. These late episodes do not need to be consecutive.
- The presence of an excluded child in a public place at any time during school hours in that child's first five days of exclusion. An "excluded child" is one who has been excluded from school for a given period under the Education and Inspections Act 2006.
- A Penalty Notice will not be issued in respect of children in the care of the LA with whom other interventions will be used.

Leave not authorised by the head teacher or in excess of the period determined by the head teacher.

The Local Authority will only issue Penalty Notices requested by a school in response to an unapproved leave of absence (including holiday related) resulting in unauthorised absence where the school has provided the necessary paperwork.

This paperwork should comprise:

¹ Continued poor attendance in the same academic year can be addressed by other statutory actions available to the Local Authority under the Education Act 1996.

² Once an unauthorised absence has been used as evidence in Court/Penalty Notice it cannot then be used again in another prosecution.

- A copy of the newsletter or letter sent to all parents during the current academic year which clearly states that parents may receive a Penalty Notice for an unauthorised holiday in term time. (The LA does not need a hard copy of this newsletter/letter each time a school applies for an unauthorised holiday Penalty Notice, just on the first occasion each academic year.)
- A copy of the leave of absence (Holiday) Request Form submitted by parent, and a copy of the response sent to the parent by school. In the event the leave of absence (holiday) request is being denied the school's response should state the reason why the request is unauthorised and should again advise parent that they may receive a Penalty Notice if they take their child out of school and that the school has referred the matter to the Local Support Team (representing the Local Authority).
- In cases where the unauthorised leave of absence occurs without prior request from the parents, or is due to unauthorised absence beyond what was agreed, the school should include all correspondence sent to the parents to explore the unauthorised absence.
- Relevant pupil Attendance of Registration Certificate signed by the Head teacher / Principal - or their nominated deputy - confirming that nonattendance during the period was unauthorised.
- Completed school unauthorised absence checklist and signed penalty notice request form. (Appendix A).

Excluded Pupils

In the case of an excluded child, a copy of the letter required to be sent to parent(s) pursuant to s.104 of the Education and Inspections Act 2006 warning them to ensure that the child is not permitted to be present in a public place in the first five days of exclusion.

Robust and reliable evidence that the child was in a public place, which includes the date and time and a statement will be required from the witness will be necessary.

Who May Issue a Penalty Notice?

A Penalty Notice may only be issued by:

- Authorised LA staff. In Staffordshire this will be members of the Local Support Teams.
- Head teacher / Principal and school staff authorised by them may request Local Support Teams to issue a Penalty Notice.
- A Police Officer during a truancy sweep under the provision of Crime and Disorder Act 1998 may request a Local Support Team (LST) to write a notice.

Procedure for issuing Penalty Notices:

The designated officers within Targeted Services will be the only individuals permitted to issue Penalty Notices in the Staffordshire area. This will ensure consistent and equitable delivery, avoid duplication of issue and to allow schools to maintain good relationships with parents and ensure that they reinforce other enforcement sanctions.

Penalty Notices will only be issued by post and never as an instant action, e.g. during a Truancy Sweep. This will enable officers to ensure that all evidential requirements are in

place, duplication of issue is avoided and limit the health and safety risks associated with delivering such notices by hand.

Where Schools, Police or neighbouring local authorities ask Staffordshire County Council to issue a Penalty Notice, their request will be investigated and actioned by the LST provided that:

- The circumstances of the case meet the criteria specified in this Code of Conduct.
- The pupil is registered at a Staffordshire School;
- All necessary evidence is provided to the LST to establish an offence under Section 444(1) or 444(1A) of the Education Act 1996 has been committed.
- Issuing a Penalty Notice would not conflict with another intervention strategy already in place or another enforcement sanction already being processed; and
- There is an assessment and plan which demonstrates that the use of a Penalty Notice is now the appropriate action to improve the child's school attendance. (Not required in the case of unauthorised leave of absence).

Targeted Services will respond to all requests within 10 school days of receipt or if part of on-going casework, and where satisfied that all of the relevant criteria are met, will:

- Issue an initial warning to the parent (s) of the possibility of Penalty Notice being issued;
- Set a period of 20 school days within which the pupil must have no unauthorised absence and give the parent (s) an opportunity to respond; this information will be included in the formal written warning letter. (Appendix B).
- After due consideration of the facts of the case, only issue a Penalty Notice through the post at the end of the 20 day period, if the required level of improved school attendance has not been achieved.

Where the Penalty Notice is requested from a school in response to a leave of absence (holiday) related unauthorised absence, or is in relation to an offence under section 103 of the Education and Inspections Act 2006, the formal warning letter and 20 day improvement period will not apply.

All Penalty Notices will be entered onto a database maintained by Targeted Services to assure that no duplicate Penalty Notices are issued.

Excluded Pupils

The parent of the excluded pupil must ensure that the pupil is not present in a public place at any time during school hours on a day that he / she is excluded, up to and including the first 5 days or, where that exclusion is for a fixed period of 5 days or less, any of the days to which the exclusion relates.

If the excluded pupil is present in a public place at any time during school hours on a school day specified above the parent commits an offence under section 103 of the Education and Inspections Act 2006 and is liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.

Truancy Sweep

A Penalty Notice will only be issued after due consideration when all facts are known and the threshold for serving the notice has been met.

Information is given to anyone stopped on a truancy sweep, pupil and/or parent about the possible support and sanctions used to address non-attendance.

Procedure for withdrawing Penalty Notices:

Once issued a Penalty Notice may be withdrawn if the Targeted Services is satisfied that:

- The Penalty Notice was issued to the wrong person;
- The use of the Penalty Notice did not conform to this Code of Conduct.
- The Penalty Notice was delivered to the wrong address;
- The evidence demonstrates that the Penalty Notice should not have been issued, e.g. medical evidence;
- The exceptional circumstances of the case warrant its withdrawal.

Payment of Penalty Notices:

- Arrangements for payment will be detailed on the Penalty Notice; (Appendix C).
- 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 21 days is £60 and payment after this time but within 28 days is £120; and
- The County Council retains any revenue from Penalty Notices to cover enforcement costs (collection or prosecuting in the event of non-payment).
- Payments will not be accepted in part or by instalments.

Non-payment of Penalty Notices:

Non-payment of a Penalty Notice will result in the withdrawal of the Penalty 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 parents 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:

Targeted Services will:

- report at regular intervals to the head teacher Forum groups (Primary, Secondary, Middle and Special). and Staffordshire Police on the deployment and outcomes of Penalty Notices;
- make regular reports to Staffordshire County Council on attendance matters which will include Penalty Notice use; and
- review Penalty Notice use at regular intervals and amend the Protocol as appropriate.

Representation

There is no statutory right of appeal against the issuing of a Penalty Notice.

The parent will be advised when they receive the warning that they may make representation to the Strategic Lead of Targeted Services setting out reasons why they should not have been issued.