

# Attendance and Punctuality Policy

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Key Attendance Staff in School:

Senior Attendance Champion	Mrs A-M Warrington
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The Attendance Team can be contacted via information found on <https://www.bishopmartin.lancs.sch.uk/>

This Attendance & Punctuality Policy is part of a broader suite of Safeguarding Policies, including the School's Child Protection/Safeguarding Policy. This policy has been written using 'Working together to improve school attendance; Statutory guidance for maintained schools, academies, independent schools and local authorities' (August 2024)

Date: September 2024

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## **Our Trust Prayer**

Heavenly Father,  
Let peace, friendship and love grow in our schools.  
Send the Holy Spirit to give  
excellence to our learning,  
love to our actions and  
joy to our worship.  
Guide us to help others,  
so that we may all  
Learn, Love and Achieve, Together with Jesus.

Amen

# 1. Introduction

*As a Diocesan Trust, our Christian values are intrinsically linked to our commitment to provide an innovative, high quality education, so that children and learners make excellent progress and fulfil their academic potential. Good attendance is key to this.*

Based on our Christian vision for an excellent education for all, we encourage the highest possible levels of attendance and punctuality for pupils within all of our schools, supporting their learning and development and safeguarding them, by seeing them every day and providing them with an educationally safe and secure environment.

Jesus said, 'Let the children come to me.' (Mt 19).

We believe that we are fulfilling this command by working with schools and families to encourage children to attend school every day, and on time, so that they can flourish and achieve excellence. Our Trust's vision embraces the spiritual, physical, intellectual, emotional, moral and social development of children and young people, and through good attendance we believe that we can promote the development of the whole child so that children grow in wisdom and stature.

To gain the greatest benefit from their education it is vital that all pupils attend regularly and on time. Pupils should aim to attend every day that schools are open. We aspire for all pupils to attain 100% attendance with the expectation that all pupils will achieve our Trust target of at least 97%.

LDST believes teachers, parents, carers, pupils and all members of each school's community have an important contribution in improving attendance and punctuality, ensuring pupils attend so they can achieve the very best they can. We treat all pupils and parents with dignity and staff model respectful relationships to build a positive relationship between home and school that can be the foundation of good attendance. We aim to work with parents and carers in a spirit of hope and compassion. This policy sets out how we will achieve this together.

**1.1** Bishop Martin CE School recognises that positive behaviour and good attendance are essential for pupils to get the most of their school experience, including their attainment, wellbeing and wider life chances.

**1.2** The law entitles every child of compulsory school age to an efficient, full-time education suitable to their age, aptitude, and any special educational need they may have. It is the legal responsibility of every parent / carer to make sure their child receives that education either by attendance at a school, or by education otherwise than at a school.

**1.3** Where parents decide to have their child registered at school, they have an additional legal duty to ensure their child attends that school regularly and on time. This means their child must attend every day that the school is open, except in a small number of allowable circumstances such as being too ill to attend or being given permission for an absence in advance from the school.

**1.4** The Department for Education (DfE) has produced statutory guidance for maintained schools, academies, independent schools, and local authorities. It is called "Working together to improve school attendance" and it includes a National Framework in relation to absence and the use of legal sanctions. Our School Attendance and Punctuality Policy reflects the requirements and principles of this guidance.

**1.5** This policy is written with the above guidance in mind and underpins our school ethos to:

- promote children's welfare and safeguarding.
- ensure every pupil in our school has access to the full-time education to which they are entitled.
- ensure that pupils succeed whilst at our school.
- ensure that pupils at our school have access to the widest possible range of opportunities at school, and when they leave school.

**1.6** In addition, all schools follow the DfE's statutory safeguarding guidance, Keeping Children Safe in Education, which emphasises the importance of understanding the potential vulnerabilities of children who are missing or absent from education. <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

**1.7** Our policy aims to raise and maintain levels of attendance by:

- Promoting a positive and welcoming atmosphere in which pupils feel safe, secure and valued.
- Raising and maintaining a whole school awareness of the importance of good attendance and punctuality.
- Ensuring that attendance is monitored effectively and reasons for absences are recorded promptly and consistently.

**1.8** For our children to gain the greatest benefit from their education it is vital that they attend regularly and be at school, on time, every day the school is open unless the reason for the absence is unavoidable. Pupils **must** attend every day, unless there are exceptional circumstances, and it is the Headteacher, not the parent, who can authorise the absence.

## 2. Aims of Policy

- Maximise the overall percentage of pupil attendance and punctuality at all schools in LDST.
- Support and challenge school leaders to embed strong systems for securing good attendance.
- Promote our vision of high attendance and punctuality amongst the school community.
- Reduce the number of pupils who are persistently absent.
- Provide support advice and guidance for parents, pupils and staff.

- Develop clear procedures for the maintenance of accurate registration for pupils.
- Ensure a systematic approach to gathering, analysing and acting upon attendance data.
- Ensure a Trust-wide, whole school approach to ensure consistency of intervention strategies.
- Continue to promote effective partnerships with the Local Authority, Children’s Services, Health and other partners.

## 3. Legislation

**3.1** This policy is based on the Department for Education’s (DfE’s) statutory guidance on working together to improve school attendance (applies from 19 August 2024) and school attendance parental responsibility measures.

**3.2** The guidance is based on the following pieces of legislation, which set out the legal powers and duties that govern school attendance:

- The Education Acts 1996 and 2002.
- The Children Act 1989
- The Crime and Disorder Act 1998.
- The Anti-Social Behaviour Act 2003
- The Education and Inspections Act 2006
- The Sentencing Act 2020.
- The School Attendance (Pupil Registration) (England) Regulations 2024.
- The Education (Parenting Contracts and Parenting Orders) (England) Regulations 2007
- The Education (Penalty Notices) (England) Regulations 2007, as amended The Education (Information about Individual Pupils) (England) Regulations 2013.
- The Children and Young Persons Acts 1933 and 1963.
- The Equality Act 2010.

## 4. Promoting Regular Attendance

Some pupils find it harder than others to attend school and therefore at all stages of improving attendance, schools and partners must work with pupils and parents to remove any barriers to attendance by building strong and trusting relationships and working together to put the right support in place. Securing good attendance in LDST schools is therefore a concerted effort across all staff, local governing board, the local authority, and other local partners.

**4.1** At Bishop Martin CE School we believe in developing good patterns of attendance and set high expectations for the attendance and punctuality for all our pupils from the outset. It is a central part of our school’s vision, values, ethos and day to day life. We recognise the strong connections between attendance, attainment, safeguarding and wellbeing.

**4.2** Helping to create a pattern of regular attendance is the responsibility of parents / carers, pupils and all members of school staff.

**4.3** To help us all to focus on this, we will:

- Submit a daily attendance return to the Department of Education, in line with the legal expectations placed on all schools.
- Build strong relationships and work jointly with families.
- Give parents/carers details on attendance in our newsletters.
- Promote the benefits of high attendance.
- Accurately complete admission and attendance registers and have effective day to day processes in place to follow-up absence as required by law.
- Celebrate excellent attendance by displaying and reporting individual and class achievements.
- Reward good or improving attendance.
- Report to parents/carers regularly on their child's attendance and the impact on their progress.
- Contact parents/carers should their child's attendance fall below the school's target for attendance.

## 5. Roles and Responsibilities

In LDST we expect all schools and families to work together collaboratively to secure the highest attendance. We:

### EXPECT

Aspire to high standards of attendance from all pupils and parents and build a culture where all can, and want to, be in school and ready to learn by prioritising attendance improvement across the school.

### MONITOR

Rigorously use attendance data to identify patterns of poor attendance (at individual and cohort level) as soon as possible so all parties can work together to resolve them before they become entrenched.

### LISTEN AND UNDERSTAND

When a pattern is spotted, discuss with pupils and parents to listen to understand barriers to attendance and agree how all partners can work together to resolve them.

### FACILITATE SUPPORT

Remove barriers in school and help pupils and parents to access the support they need to overcome the barriers outside of school. This might include an early help or whole family plan where absence is a symptom of wider issues.

### FORMALISE SUPPORT

Where absence persists and voluntary support is not working or not being engaged with, partners should work together to explain the consequences clearly and ensure support is also in place to enable families to respond. Depending on the circumstances this may include formalising support through a parenting contract or education supervision order.

### ENFORCE

Where all other avenues have been exhausted and support is not working or not being engaged with, enforce attendance through statutory intervention or prosecution to protect the pupil's right to an education.

We have identified the following roles:

### **5.1 Role of Local Governing Board (LGB)/Trustee Board:**

- To set high expectations of all leaders, staff, pupils, and parents so that pupils attend school every day and are safeguarded from harm.
- To identify a member of the LGB to lead on attendance matters and to ensure there is a named senior attendance champion.
- Ensure school leaders fulfil expectations and statutory duties by rigorously evaluating the effectiveness of the school's attendance procedures so that consistent attendance support is provided for all pupils.
- To ensure the school engages and works effectively with the local authority School Attendance Support Team, and wider local partners and services to address barriers to school attendance.
- To regularly reviewing attendance data, discussing, challenging trends, and helping school leaders focus improvement efforts on the individual pupils or cohorts who need it most.
- Ensuring high aspirations are maintained for all pupils, and processes for support are adapted to the individual needs of pupils including those with long term illnesses, special educational needs and disabilities, pupils with a social worker or youth justice worker and pupils from cohorts with historically lower attendance such as those eligible for free school meals.
- Ensuring all school staff receive adequate training on attendance and that relevant staff have access to opportunities to share and learn from good practice in other schools.
- Ensuring that attendance data is shared with the Local Authority or Department for Education as required and on time.
- Reviewing the school's Attendance and Punctuality Policy on at least an annual basis, ensuring that the required resources are available to fully implement the policy.

### **5.2 Role of Senior Leadership:**

- Promote the significance and benefits of regular attendance to both pupils and their parents.
- Establish and maintain positive relationships with pupils and parents.
- Ensure a school-wide commitment to promoting good attendance, supported by engaging teaching and learning experiences that motivate all pupils to attend regularly and achieve their full potential.
- Oversee the implementation of the Attendance and Punctuality Policy and ensure it undergoes an annual review.
- Ensure all staff are informed about the Attendance and Punctuality Policy and receive adequate training to address attendance-related issues.
- Ensure compliance with relevant regulations and legislation.
- Appoint a designated senior attendance leader to champion attendance, allocating sufficient time and resources to the role.
- Submit school attendance data to the Local Authority and the Department for Education as required and in a timely manner.
- Regularly report on the school's attendance and related issues to the Local Governing Board/trustees, with termly updates to the LGB/trustees and half-termly updates to the nominated governor responsible for attendance.
- Implement and maintain systems to report, record, and monitor the attendance of all pupils, including those educated off-site.
- Regularly collect and analyse attendance data to identify patterns and causes of absenteeism.
- Use the analysed data to develop solutions and evaluate the effectiveness of interventions.



- Develop a multi-agency response to enhance attendance and provide support to pupils and their families.
- Record all interventions, conversations precisely using factual evidence-based information that may be required should legal proceedings be initiated.

### **5.3 Role of All Staff**

- Promote the importance and value of regular attendance to pupils and their parents.
- Build and maintain positive relationships with pupils and their parents.
- Contribute to a whole school approach that supports good attendance, reinforced by quality teaching and learning that encourages pupils to attend and succeed.
- Adhere to relevant regulations and legislation.
- Implement and uphold systems for reporting, recording, and monitoring the attendance of all pupils, including those educated off-site.
- Ensure accurate and timely recording of attendance registers.
- Participate in the evaluation of school strategies and interventions related to attendance.
- Work with external agencies to improve attendance and provide support to pupils and their families.

### **5.4 Role of Attendance Officer**

- Monitor and analyse pupil attendance data.
- Conduct weekly attendance meetings with the Attendance Team, Designated Safeguarding Lead, SENCO, and other relevant staff members.
- Implement strategies to promote excellent whole-school attendance.
- Address unsatisfactory attendance by applying strategies agreed in partnership with parents.
- Keep accurate and factual information in relation to pupils and their families.
- Coordinate action plans for pupils of concern, including the initiation of an Early Help Assessment and Plan or the implementation of an attendance contract.
- Ensure adherence to first day calling procedures when a child is absent without parental contact.
- Lead school-wide initiatives such as awards assemblies and reward schemes.
- Refer cases to appropriate external agencies as needed.
- Support Class Teachers in promoting attendance

### **5.5 Role of Parents / Carers**

- Make sure your child attends every day.
- Provide **two** emergency contact numbers to the school.
- Notify the school as soon as possible on the first day of absence.
- Try to make all medical appointments (doctors, dentist and hospital) out of school time. Obviously, this is not always possible but, in such cases, try to minimise the disruption to the day by getting an early morning appointment so that your child can attend afterwards or a late afternoon appointment so that they can complete most of their timetable before leaving.
- Encourage your child to take responsibility for being on time for school ensuring they have a realistic bedtime and will not be too tired to get up in the morning for school. Equipment should be prepared the night before.
- Discourage your child from staying overnight with friends during the week. This sometimes leads to them both being late (or not attending at all) the next day.
- Talk positively about going to school.
- Work with the school and local authority to help them understand their/your barriers to attendance.

- Proactively engage with the support offered to prevent the need for more formal support.
- If your child is on an attendance support plan /attendance contract, ensure they undertake the actions that have been agreed.
- Monitor your child's internet and social media use to ensure they are not experiencing any difficulties that may prevent them from wanting to attend school.
- **Leave of absence during term time is not a parental right. If there are special or exceptional circumstances, please contact the Headteacher and complete the correct school documentation and a decision will be made if the absence can be authorised or not.**

### 5.6 Role of Pupils (when they are old enough to understand)

- Speak to your class teacher or another member of staff if you are experiencing difficulties at school or at home which may impact on your attendance.
- Attend all your lessons ready to learn, with the appropriate learning equipment requested and on time for the class.
- Follow the school procedure if you arrive late. This will help the school to monitor your attendance and keep accurate records. This is also vital for health and safety in the event of a school evacuation.
- If you on an attendance support plan /attendance contract, ensure you undertake the actions that have been agreed.

## 6. Understanding Types of Absence

**6.1** Any absence affects the routine of a child's schooling and regular absence will seriously affect their learning journey and ability to progress. Any pupil's absence or late arrival disrupts teaching routines and so may affect the learning of others in the same class. Ensuring a child's regular attendance at school is a parental responsibility and allowing absence from school, without a good reason, creates an offence in law and may result in prosecution.

**6.2** Every half-day absence from school must be classified by the school (not by the parent), as either **authorised** or **unauthorised**. This is why information about the cause of any absence is always required. Each half-day is known as a 'session.'

**6.3 Authorised absences** are morning or afternoon sessions away from school for a genuine reason such as illness (although you may be asked to provide medical evidence for your child before this can be authorised), medical or dental appointments which unavoidably fall in school time, emergencies or other unavoidable cause.

**6.4 Unauthorised absences** are those which the school does not consider reasonable and for which no 'leave' has been granted. This type of absence can lead to the school referring to the Local Authority for penalty notices and/or legal proceedings.

**6.5** Unauthorised absence includes, (however this list is not exhaustive):

- parents/carers keeping children off school unnecessarily e.g., because they had a late night or for non-infectious illness or injury that would not affect their ability to learn.
- absences which have never been properly explained.

- children who arrive at school after the close of registration are marked using a 'U.' This indicates that they are in school for safeguarding purposes, however, is counted as an absence for the session.
- shopping trips.
- looking after other children or children accompanying siblings or parents to medical appointments.
- their own or family birthdays.
- holidays taken during term time, not deemed 'for exceptional purposes' by the headteacher, including any arranged by other family members or friends.
- day trips.
- other leave of absence in term time which has not been agreed.

## 7. Persistent Absenteeism (PA) and Severe Absenteeism (SA)

**7.1** A pupil is defined by the Government as a '**persistent absentee**' when they miss 10% or more schooling across the school year for any reason; this can be authorised or unauthorised absence. Absence at this level will cause considerable damage to any pupil's education and we need the full support and co-operation of parents to resolve this. All pupils who have attendance levels of 90% or below are defined as a persistent absentee.

**7.2** Pupil who has missed 50% or more schooling is defined by the Government as '**severely absent**'. Pupils within this cohort may find it more difficult to be in school or face bigger barriers to their regular attendance and, as such, are likely to need more intensive support.

## 8. Absence Procedures

**8.1** The name and contact details of the school staff member pupils and parents should contact about attendance on a day-to-day basis is:

**Staff Name: Mrs A-M Warrington**

**Contact details: 01695 724730 or enquiries.bmskem@ldst.org.uk**

**8.2** We monitor and review all pupils' absence, and the reasons that are given, thoroughly.

**8.3 If a child is absent from school the parent must follow these procedures:**

- Contact the school on the first day of absence before 8.50am when our register closes.
- The school has an answer phone available to leave a message if nobody is available to take your call, or you may call into school personally and speak to the office staff. Please be aware that, if you leave a voicemail to report your child's absence, you may receive a call from the school so that we may discuss the absence before deciding as to whether the absence is to be recorded as authorised.
- Contact the school on every further day of absence, again before 8.50am

- Ensure that your child returns to school as soon as possible and you provide any medical evidence, if requested, to support the absence. Medical evidence may be requested where your child is having multiple periods of absence which are reported as being due to medical reasons. When determining whether a child is too ill to attend school, both parents and school staff can consider the advice contained within the NHS advice. [Should I keep my child off school checklist poster \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/428222/should_i_keep_my_child_off_school_checklist_poster.pdf)

#### **8.4 If your child is absent, we will:**

- Telephone or text you on the first, and every subsequent day of absence, if we have not heard from you, however, it is your responsibility as a parent / carer to contact the school.
- If we are unable to contact parents / carers by telephone, we will telephone emergency contact numbers, send letters home and a home visit may be made, in the interests of safeguarding.
- A referral will be made to Local Authority if no contact has been made with parents by the 10<sup>th</sup> day of absence (or sooner if deemed appropriate), at which point your child will be deemed "missing from education."

#### **8.5 If absence continues, we will:**

- Write to you if your child's attendance is below 95% / causing concern, and/or where punctuality is a concern.
- Arrange a meeting so that you may discuss the situation with a member of our Attendance Team and/or School Attendance Support Worker.
- Create a personalised action/support plan, such as an attendance contract, to address any barriers to attendance and make clear each person's role in improving the attendance patterns of your child.
- Offer signposting support to other agencies or services, if appropriate.
- Refer the matter to the Local Authority for relevant legal sanctions if attendance deteriorates following the above actions.

## **9. Lateness / Punctuality**

**9.1** Poor punctuality is not acceptable and can sometimes lead to irregular school attendance patterns. Good timekeeping is a vital life skill which will help children as they progress through their school life and out into the wider world.

**9.2** Pupils who arrive late disrupt lessons and, if a child misses the start of the day, they can feel unsettled and embarrassed and risk missing vital work and important messages from their class teacher.

**9.3** The times of the start and close of the school day for all pupils at Bishop Martin CE Primary School are:

Gates open: 8.40am

Registration opens: 8.45am

Registration closes: 9.20am (not longer than 30 minutes after registration opens in line with 'working together to improve school attendance', page 19)

End of the school day: 3.20pm

#### **9.4 How we manage lateness:**

- The school day starts at *8.40am* when children can begin to come into school.
- Registers are open at *8.45am*.
- Children arriving after *8.50am* are required to come into school via the school office. If accompanied by a parent/carer they must sign them into our 'Late Register / Book' and provide a reason for their lateness, which is recorded;
- At 9.20am the registers will be closed. In accordance with the Regulations, if your child arrives after that time, they will receive a mark that shows them to be on site – 'U,' but this will **not** count as a present mark, and it will mean that they have an unauthorised absence.
- The school may contact parents/carers regarding punctuality concerns.

**8.5** Unauthorised lateness could result in the school referring to the Local Authority for sanctions and/or legal proceedings. If your child has a persistent lateness record, you may be asked to meet with Mrs Warrington, but you can approach us at any time if you are having difficulties getting your child to school on time. We expect parents and staff to encourage good punctuality by being good role models to our children and, as a school, we celebrate good class and individual punctuality.

## **10. Understanding Barriers to Attendance**

**10.1** Whilst any child may occasionally have time off school because they are too unwell to attend, sometimes they can be reluctant to attend school. Any barriers preventing regular attendance are best resolved between the school, the parents and the child. If a parent thinks their child is reluctant to attend school, then we will work with that family to understand the root problem and provide any necessary support. We can use outside agencies to help with this, such as the School Nurse, Mental Health and Emotional Wellbeing support services, an Early Help Worker or the relevant Local Authority team(s). Where outside agencies are supporting the family, you may be invited to attend a Team Around the Family meeting (TAF) to consider what is working well and what needs to improve. An individual support plan will be agreed and subsequently reviewed.

**10.2** Some pupils face greater barriers to attendance than their peers. These can include pupils who suffer from long-term medical conditions or who have special educational needs and disabilities, or other vulnerabilities. High expectations of attendance remain in place for these pupils; however, we will work with families and pupils to support improved attendance whilst being mindful of the additional barriers faced. We can discuss reasonable adjustments and additional support from external partners, where appropriate.

**10.3** Under the DfE's statutory guidance, schools are required to submit a sickness return to the Local Authority for all pupils who have missed/are likely to miss 15 or more school days (consecutive or cumulative) due to medical reasons/illness.

**10.4** Attendance returns: providing the local authority with the names and addresses of all pupils of compulsory school age who fail to attend school regularly or have been absent for a continuous period of ten school days where their absence has been recorded with one or more of the codes statistically classified as unauthorised (G, N, O, and/or U).

Local authorities must agree the frequency that attendance returns are to be provided with all schools in their area. This should be no less frequently than once per calendar month.

- 10.5 Part-time timetables:** All pupils of compulsory school age are entitled to a full-time education. In very exceptional circumstances, where it is in a pupil's best interests, there may be a need for a temporary part-time timetable to meet their individual needs. For example, where a medical condition prevents a pupil from attending full-time education and a part-time timetable is considered as part of a re-integration package. A part-time timetable should not be used to manage a pupil's behaviour.
- Have the agreement of both the school and the parent the pupil normally lives with.
  - Have a clear ambition and be part of the pupil's wider support, health care or reintegration plan.
  - Have regular review dates which include the pupil and their parents to ensure it is only in place for the shortest time necessary.
  - Have a proposed end date that takes into account the circumstances of the pupil, after which the pupil is expected to attend full-time, either at school or alternative provision. It can, however, be extended as part of the regular review process.
  - Where the pupil has a social worker, the school is expected to keep them informed and involved in the process.
  - If the pupil has an education health and care plan, the school should discuss the part-time timetable with the local authority so that any support package that is in place can be reviewed as swiftly as possible.
  - In agreeing to a part-time timetable, a school has agreed to a pupil being absent from school for part of the week or day and therefore must record the absence accordingly (see Appendix 2).

## 11. Local Authority School Attendance Support Worker (SASW)

**11.1** The Local Authority School Attendance Support Worker (SASW) work both strategically and operationally by offering support to schools, to reduce persistent absence and improve overall attendance.

**11.2** Parents are expected to work with the school and local authority to address any attendance concerns. Parents should proactively engage with the support offered, aiming to resolve any problems together. If difficulties cannot be resolved in this way, the school may consider more formal support and/or refer the child to the Local Authority/ Local Authority School attendance panel.

**11.3 Local Authority School Attendance Panel.** The purpose of the School Attendance Panel meeting is for you and your child to meet with representatives from the Local Authority to identify the reasons for absence. The Local Authority Attendance Panel is chaired by a member of the School Attendance Support Service. At the beginning of the meeting introductions are made and the purpose of the panel is explained. Parents/carers are reminded of the legal consequences for them if the pattern of poor school attendance continues.

**An action plan in the form of an attendance contract is put in place to try to support an improvement in attendance.**

**11.4** The reasons for absence will be identified and different strategies to improve attendance will be considered:

- A supportive action plan in the form of an attendance contract will be agreed.
- An attendance target date for improvement will be set.
- The pupil's attendance will then be closely monitored for a period of 12 school weeks.
- A decision to apply for an Education Supervision Order (ESO).

**11.5** If attendance does not improve, legal action may be taken in the form of a Penalty Notice, an Education Supervision Order (ESO) or prosecution in the Magistrates Court.

**11.6 First day response – children with a social worker.** Our school works in partnership with the LA School Attendance Support Team in delivering a first day response system for children with a social worker. If children who have an allocated social worker are absent from school, we will contact the family to establish the reason why the child is absent from school.

**11.7** We will complete the first day response form and submit it to Lancashire or appropriate Council, so information is shared in relation to why the child is absent from school. We will also request a home visit if we feel this is appropriate. We will also inform the child's social worker.

## 12. School Attendance and the Law

**12.1** The School Attendance (Pupil Registration) (England) Regulations 2024 introduced a National Framework in England. By law all children of compulsory school age must receive an appropriate full-time education (Education Act 1996). Parents have a legal duty to ensure their child attends school regularly at the school at which they are registered.

**12.2** The definition of a parents may be recognised differently under education law, than family law. Section 576 of the Education Act 1996 states that a 'parent', in relation to a child or young person, includes any person who is not a parent (from which can be inferred 'biological parent') but who has parental responsibility, or who has care of the child.

**12.3** A person typically has care of a child or young person if they are the person with whom the child lives, either full or part time and who looks after the child, irrespective of what their biological or legal relationship is with the child.

**12.4 National Framework for Penalty Notice** - There is now a single consistent national threshold for when a penalty notice must be considered by all schools in England, of 10 sessions (usually equivalent to 5 school days) of unauthorised absence within a rolling 10 school week period. The 10 sessions of absence do not have to be consecutive and can be made up of a combination of any type of unauthorised absence (G, O and/or U coded within the school's registers). The 10-school week period can span different terms, school years or education settings.



**12.5** Sanctions may include issuing each parent (for each child) with a Penalty Notice for £160, reduced to £80 if paid within 21 days (for the first offence). A second Penalty Notice issued within a three-year period will result in a fine of £160 per parent, per child. If a third offence is committed the matter may be referred to the local authority for consideration of prosecution via the Magistrates Court. If prosecution is instigated for irregular school attendance, each parent may receive a fine of up to £2500 and/or up to 3 months in prison. If a parent is found guilty in court, they will receive a criminal conviction.

**12.6 Penalty Notice - Notice to improve.** If the national threshold outlined above has been met and support is appropriate, but parents do not engage with offers of support, the school may offer a notice to improve to give parents a final chance to engage with support.

**12.7** Notices to improve will be issued in line with processes set out in the code of conduct for the local authority area in which the pupil attends school.

**12.8** They will include:

- Details of the pupil's attendance record and of the offences.
- The benefits of regular attendance and the duty of parents under section 7 of the Education Act 1996.
- Details of the support provided to date.
- Opportunities for further support, or to access previously provided support that was not engaged with.
- A clear warning that a penalty notice may be issued if attendance doesn't improve within the improvement period, along with details of what sufficient improvement looks like, which will be decided on a case-by-case basis.
- A clear timeframe of between 3 and 6 weeks for the improvement period.
- The grounds on which a penalty notice may be issued before the end of the improvement period.

**"There is no entitlement in law for pupils to take time off during the term to go on holiday or other absence for the purpose of leisure or recreation, or to take part in protest activity in school hours."**

**12.9** In addition, the Supreme Court has ruled that the definition of regular school attendance is "in accordance with the rules prescribed by the school."

**12.10** The School Attendance (Pupil Registration) (England) Regulations 2024 set out the statutory requirements for schools. All references to family holidays and extended leave have been removed. The amendments specify that headteachers may not grant any leave of absence during term time unless there are "exceptional circumstances" and they do not have any discretion to authorise up to ten days of absence each academic year.

**12.11** It is a rule of this school that a leave of absence shall not be granted in term time unless there are reasons considered to be exceptional by the Headteacher, irrespective of the child's overall attendance. Only the Headteacher or their designate (not the local authority) may authorise such a request and all applications for a leave of absence must be made in writing, in advance, on the prescribed form provided by the school. The school will usually consider that the parent who has made the application is therefore allowing the leave of absence, and also that all parents who are on the



holiday are allowing the leave. Where a parent removes a child after their application for leave was refused or where no application was made to the school, the absence will be recorded as unauthorised. It is likely that penalty notices will be requested, in line with the National Framework and Local Authority Code of Conduct, in respect of each parent believed to have allowed the absence.

- 12.12** At Bishop Martin CE School '**exceptional circumstances**' will be interpreted as: being of unique and significant emotional, educational or spiritual value to the child which outweighs the loss of teaching time (as determined by the headteacher). The fundamental principles for defining 'exceptional' are events that are "rare, significant, unavoidable and short." By 'unavoidable' we mean an event that could not reasonably be scheduled at another time, outside of school term time, regardless of who has planned or paid for the holiday or absence (including grandparents or other family or friends).
- 12.13** The headteacher/school may discuss the leave of absence request with other education settings and/or the Local Authority to determine any exceptional circumstances.

## 13. Deletion from Roll

- 13.1** For any pupil leaving *Bishop Martin CE Primary School*, other than at the end of year 6, parents/carers are required to complete a 'Pupils moving from school' form which can be obtained from the school office. This provides school with the following information: Child's name, class, current address, date of leaving, new home address, name of new school, address of new school. This information is essential to ensure that we know the whereabouts and may appropriately safeguard all our pupils, even those who leave us.
- 13.2** It is crucial that parents keep school updated with current addresses and contact details for the pupil and key family members, in case of emergency.
- 13.3** Under Pupil Regulations 2006, all schools are now **legally required** to notify their Local Authority of **every new entry** to the admission register **within five days** of the pupil being enrolled. In addition to this, **every deletion** from the school register must also be notified to the Local Authority, as soon as the ground for deletion has been met in relation to that pupil, and in any event no later than the time at which the pupil's name is deleted from the register. This duty does not apply when a pupil's name is removed from the admission register at a standard transition point – when the pupil has completed the final year of education normally provided by that school.

## 14. Request to Electively Home Educate

- 14.1** Our school works with the Local Authority to ensure that that parents fully understand the demands and responsibilities of elective home education (EHE). We follow up-to-date guidance that is published. If a child has an Education, Health and Care Plan (EHCP) or is open to a social worker we work closely with the Complementary Education Service, SEND and Childrens' Social Care.

## 15. Absence Data

- 15.1** We use data to monitor, identify and support individual pupils or groups of pupils when their attendance needs to improve, and schools are required to submit pupil attendance data to the Department for Education daily Education (Information about Individual Pupils) (England) (Amendment) Regulations 2024. Persistently and severely absent pupils are tracked and monitored carefully. We also combine this with academic tracking, as increased absence affects attainment.
- 15.2** We share information and collaborate with other schools in the area, local authorities, and other partners, when absence is at risk of becoming persistent or severe.

### **Appendix 1**

Guidance in relation to attendance:

[https://assets.publishing.service.gov.uk/media/66bf300da44f1c4c23e5bd1b/Working\\_together\\_to\\_improve\\_school\\_attendance\\_-\\_August\\_2024.pdf](https://assets.publishing.service.gov.uk/media/66bf300da44f1c4c23e5bd1b/Working_together_to_improve_school_attendance_-_August_2024.pdf)

[https://assets.publishing.service.gov.uk/media/66bf301e253aee7aafdbdfea/Summary\\_table\\_of\\_responsibilities\\_for\\_school\\_attendance\\_-\\_August\\_2024.pdf](https://assets.publishing.service.gov.uk/media/66bf301e253aee7aafdbdfea/Summary_table_of_responsibilities_for_school_attendance_-_August_2024.pdf)

[https://assets.publishing.service.gov.uk/media/626669cb8fa8f523b7221b98/UKHSA-should-I-keep-my\\_child\\_off\\_school\\_guidance-A3-poster.pdf](https://assets.publishing.service.gov.uk/media/626669cb8fa8f523b7221b98/UKHSA-should-I-keep-my_child_off_school_guidance-A3-poster.pdf)

[DfE external document template \(childrenscommissioner.gov.uk\)](#)

[Children's mental health - Every Mind Matters - NHS \(www.nhs.uk\)](#)

## **Appendix 2**

### **Attendance Codes**

The following codes are taken from the DfE's [guidance on school attendance](#).

<b>Code</b>	<b>Definition</b>	<b>Scenario</b>
/	Present (am)	Pupil is present at morning registration
\	Present (pm)	Pupil is present at afternoon registration
L	Late arrival	Pupil arrives late before register has closed
<b>Attending a place other than the school</b>		
K	Attending education provision arranged by the local authority	Pupil is attending a place other than a school at which they are registered, for educational provision arranged by the local authority

V	Attending an educational visit or trip	Pupil is on an educational visit/trip organised or approved by the school
P	Participating in a sporting activity	Pupil is participating in a supervised sporting activity approved by the school
W	Attending work experience	Pupil is on an approved work experience placement
B	Attending any other approved educational activity	Pupil is attending a place for an approved educational activity that is not a sporting activity or work experience
D	Dual registered	Pupil is attending a session at another setting where they are also registered
<b>Absent – leave of absence</b>		
C1	Participating in a regulated performance or undertaking regulated employment abroad	Pupil is undertaking employment (paid or unpaid) during school hours, approved by the school
M	Medical/dental appointment	Pupil is at a medical or dental appointment
J1	Interview	Pupil has an interview with a prospective employer/educational establishment
S	Study leave	Pupil has been granted leave of absence to study for a public examination
X	Not required to be in school	Pupil of non-compulsory school age is not required to attend

Code	Definition	Scenario
C2	Part-time timetable	Pupil is not in school due to having a part-time timetable
C	Exceptional circumstances	Pupil has been granted a leave of absence due to exceptional circumstances
<b>Absent – other authorised reasons</b>		
T	Parent travelling for occupational purposes	Pupil is a 'mobile child' who is travelling with their parent(s) who are travelling for occupational purposes

R	Religious observance	Pupil is taking part in a day of religious observance
I	Illness (not medical or dental appointment)	Pupil is unable to attend due to illness (either related to physical or mental health)
E	Suspended or excluded	Pupil has been suspended or excluded from school and no alternative provision has been made
<b>Absent – unable to attend school because of unavoidable cause</b>		
Q	Lack of access arrangements	Pupil is unable to attend school because the local authority has failed to make access arrangements to enable attendance at school
Y1	Transport not available	Pupil is unable to attend because school is not within walking distance of their home and the transport normally provided is not available
Y2	Widespread disruption to travel	Pupil is unable to attend because of widespread disruption to travel caused by a local, national or international emergency
Y3	Part of school premises closed	Pupil is unable to attend because they cannot practicably be accommodated in the part of the premises that remains open
Y4	Whole school site unexpectedly closed	Every pupil absent as the school is closed unexpectedly (e.g., due to adverse weather)
Y5	Criminal justice detention	Pupil is unable to attend as they are: <ul style="list-style-type: none"> <li>• In police detention</li> <li>• Remanded to youth detention, awaiting trial or sentencing, or</li> <li>• Detained under a sentence of detention</li> </ul>

<b>Code</b>	<b>Definition</b>	<b>Scenario</b>
Y6	Public health guidance or law	Pupil's travel to or attendance at the school would be prohibited under public health guidance or law
Y7	Any other unavoidable cause	To be used where an unavoidable cause is not covered by the other codes
<b>Absent – unauthorised absence</b>		

G	Holiday not granted by the school	Pupil is absent for the purpose of a holiday, not approved by the school
N	Reason for absence not yet established	Reason for absence has not been established before the register closes
O	Absent in other or unknown circumstances	No reason for absence has been established, or the school is not satisfied that the reason given would be recorded using one of the codes for authorised absence
U	Arrived in school after registration closed	Pupil has arrived late, after the register has closed but before the end of session
<b>Administrative codes</b>		
Z	Prospective pupil not on admission register	Pupil has not joined school yet but has been registered
#	Planned whole-school closure	Whole-school closures that are known and planned in advance, including school holidays

**Appendix 3**

## Helping parents to understand the changes to fines for term time holidays

With the introduction of the new National Framework for Penalty Notices, the following changes will come into force for the Penalty Notice Fines issued for unauthorised holidays recorded by schools after 19<sup>th</sup> August 2024.

### Who may be fined?

Penalty Notice Fines are issued to each parent who allows their child to be absent from school.

For example: 3 siblings absent for term time leave, would result in each parent who allowed the holiday receiving 3 separate fines.

### First Offence

The first time a Penalty Notice is issued for an unauthorised term time holiday the fine amount will be:

£80 per parent, per child if paid within 21 days.

Increasing to £160 if paid between 22-28 days.

### National Threshold

There will be a single consistent national threshold for when a penalty notice must be considered by all schools in England of 10 sessions (usually equivalent to 5 school days) of unauthorised absence within a rolling 10 school week period.

These sessions do not have to be consecutive and can be made up of a combination of any type of unauthorised absence, including the U code (late after registers have closed).

For example: a 5-day holiday would meet the national threshold.

The 10-school week period can span different terms or school years.

### Second Offence

#### (Within 3 years)

The Second time a Penalty Notice is issued for unauthorised absence the amount will be:

£160 per parent (who allowed the holiday) per child, payable withing 28 days.

### Third Offence and Any Further Offences (within 3 years)

The third time an offence is committed a Penalty Notice will not be issued and local authorities will need to consider other available measures to address the absence concerns. This may mean that cases are presented before a Magistrate's Court. Prosecution may result in criminal records and fines up to £2,500.

Cases found guilty in the Magistrate's Court can show on the parent's future DBS certificate due to 'failure to safeguard a child's education'.

## Appendix: Policy Review and Revision Schedule

### Review Schedule

Policy Author	Chief Executive Officer (CEO)
Policy Approver	Board of Directors
Current Policy Version	1.3
Policy Effective From	September 2024
Policy Review Date	By September 2025

### Revision Schedule

Version	Revisions	By whom
1.0	Original document produced	CEO
1.1	Updated document to reflect updated DfE guidance	CEO
1.2	Updated document to reflect updated DfE guidance 2023	CEO
1.3	Updated document to reflect updated DfE guidance 2024	CEO