Elm Tree Community Primary School

Attendance Policy

Agreed by Governing Board January 2025

Policy will be reviewed by Autumn term 2025

Contents

1 Introduction

2 Responsibilities and expectations

2.1 Families

2.2 School (including contact information for attendance-related matters)

2.3 Lancashire County Council

3 Types of absence

3.1 Authorised absences

3.2 Unauthorised absences

3.3 Persistent Absence (PA)

3.4 Severe Absence (SA)

3.5 Leave during term time

3.6 Religious absence

3.7 Participation in sporting events

3.8 Participation in performances

4 Registration

4.1 Attendance registration

4.2 Late arrival

4.3 Punctuality

5 School attendance procedures

5.1 First day of absence

5.2 Attendance concerns

5.3 Pupils with medical needs who have difficulty attending school

5.4 Pupils refusing to attend school

5.5 Promotion of good attendance

5.6 Use of penalty and other attendance legal interventions

6 Alternative provision and use of directions

7 Notifications school must submit to the local authority

7.1 Admissions

7.2 Leavers

7.3 Pupils who fail to attend

7.4 Pupils on a part-time timetable

7.5 Children missing education

Appendix: School attendance and the law

Parents and carers

Schools

1 Introduction

This is a successful school, and everyone plays their part in making it so. We aim for an environment which enables and encourages all pupils to achieve their potential and aspire to excellence.

All our learners have special educational needs and an Education Health Care Plan. The school fully appreciates that school attendance for some pupils may be impacted by their medical needs; however, for pupils to gain the greatest benefit from their education at Elm Tree, we continue to expect and encourage regular attendance.

Pupils should be at school, on time, every day the school is open unless they have an unavoidable reason to be absent. Any absence affects the pattern of a child's schooling and regular absence will impact on their learning.

Those learners with good attendance have greater opportunity to make better progress socially, learn to work with others, and are better prepared for adulthood and a future placement beyond Elm Tree.

It is very important therefore that you make sure that, where possible, your child attends regularly and this policy sets out how together we will achieve this.

Our attendance target this year is 95%.
We have high expectations for attendance but recognise that pupil attendance rates for special schools are generally below those of mainstream schools because of the complex health needs of some of our pupils.

We recognise that associated with this, families in our school community can experience greater challenges and we will always work with them to support pupils in attending school, participate in school life or where appropriate access education by other means.

For this reason, our attendance policy reflects these circumstances and acknowledges our responsibilities in implementing measures to support the attendance of all pupils and to provide more creative learning opportunities.

2 Responsibilities and expectations

2.1 Families

Parents and carers have a legal duty to ensure that their children attend school regularly, if they are of compulsory school age and registered at a school (see appendix for details of how the law applies to school attendance and how "parent" is defined in law).

Parents and pupils should know the times the school day starts and finishes and when the register closes (see section 4, below); the processes for requesting leave (see section 3.5, below); and the process for informing school of the reason for unexpected absence (as follows).

If your child is going to be absent, parents must inform school as soon as possible and at the latest by 07:30am on the first day of absence by calling school.

Parents must also ensure that school has up-to-date contact information for themselves and emergency contacts.

Due to their special educational needs pupils are not deemed responsible for their overall school attendance. Most pupils are also dependent upon local authority dedicated transport to bring them to and from school and, in this circumstance, neither pupils or their parents will be held responsible for punctuality. Those parents who choose to transport their child to and from school each day will be expected to ensure that their child arrives in time for the start of the school day.

School contact information for other attendance-related matters is given below at the end of section 2.2.

2.2 School

Head Teacher

- Ensure there are designated staff with day-to-day responsibility for attendance matters and protected time allocated to discharge those responsibilities.
- Take overall responsibility for ensuring the school confirms to statutory requirements regarding attendance.
- Consider each request for leave against the school's criteria, detailed in Section 3, decide whether some, all, or none of the leave will be authorised and notify parents of this decision.
- Where there is uncertainty regarding an absence, make the decision whether to authorise an absence, or to request further evidence to support the decision-making process.
- Provide regular reports to the governing body on school attendance, including persistent absence and vulnerable groups.

Senior Attendance Champion

- Take overall responsibility for championing and improving attendance in school, liaising with pupils, parents and external agencies where needed.
- Set a clear vision for improving and maintaining good attendance.
- Establish and maintain effective systems for addressing and improving attendance and make sure they are followed by all staff.
- Have a comprehensive understanding of attendance data.
- Use attendance data to target attendance improvement efforts and support to the pupils or pupil cohorts who need it most.
- Regularly monitor and evaluate progress, including the efficacy of the school's strategies and processes.
- Regularly communicate pupil attendance and punctuality levels to parents.

Other staff with designated responsibilities for attendance

- First day response: contact parents if a reason for absence has not been provided and record this information accordingly. Contact emergency contacts if parents cannot be reached.
- Update attendance registers.

- Regularly monitor and analyse data to identify pupil, class and whole school attendance concerns and to target attendance improvement support for those who need it most.
- Discuss attendance concerns at an early stage with pupils and parents.
- Work with parents to remove barriers to regular and punctual attendance, using attendance contracts where appropriate.
- Involve external agencies to support parents to better understand and address the issues causing attendance concerns, eg significant medical circumstances that impact on a pupil's ability to attend school.
- Promote regular attendance through the school newsletter, website and displays and ensure the school's attendance policy is readily accessible.
- Use interventions and strategies to improve attendance and punctuality for identified pupils that consider their individual needs and circumstances.

All school staff

- Provide a welcoming and inclusive atmosphere for children within a safe learning environment particularly for those returning to school following a period of absence.
- Be aware of factors that can contribute to poor attendance and punctuality.
- Adhere to the procedures in place within school to promote good attendance.
- Promote the link between attendance and overall progress with parents.
- Complete attendance registers in accordance with the legislation and under the direction of the head teacher.
- Discuss attendance concerns at an early stage with parents.
- Raise any concerns about attendance with the Senior Attendance Champion and/or Attendance team.

Governors

- Ensure compliance with The School Attendance (Pupil Registration) (England) Regulations 2024.
- Agree an attendance policy and review it annually or more frequently if required.
- Agree targets for attendance at Elm Tree.
- Where the school is not meeting its attendance targets, or when the governors believe there is cause for concern, instigate a review of school's attendance procedures.
- Authorise the head teacher (or other designated person) to make decisions regarding leave of absence requests.
- Work with the head teacher in establishing equitable and consistent criteria against which leave requests will be considered.

Schools are bound by a range of attendance legislation, regulations and guidance; please see the appendix for further details.

School attendance contacts.

Name	Position	Contact details
Dave Lamb	Headteacher	head@elmtree.lancs.sch.uk
Harry Cartwright	Senior Attendance Champion	cartwrighth@elmtree.lancs.sch.uk
Dawn Hughes	Attendance Lead	hughesd@elmtree.lancs.sch.uk

2.3 Lancashire County Council (the local authority)

School Attendance Support Team

Each school has a named contact in the School Attendance Support Team who can advise schools on attendance related matters, and with whom termly Targeting Support Meetings will be held. For special schools this will be a School Attendance Consultant (SAC).

The named SAC for Elm Tree is Julie Ascroft.

School Attendance Legal Team (SALT)

Following requests from schools for legal interventions in the event of failure to attend school regularly, the SALT undertakes enforcement processes, including penalty notices, prosecutions, parenting orders, education supervision orders and school attendance orders.

Children Missing Education (CME) Team

The CME team ensures the local authority fulfils its statutory duty to identify children in their area who are not registered pupils at a school and are not receiving suitable education otherwise than at a school. For further information see section 7, below, regarding notifications schools must submit.

3 Types of absence

Every half-day absence from school is classified by the school as either authorised or unauthorised. This is why information about the cause of any absence is always required from parents/carers. As a school, we will always work with parents (and other agencies, as appropriate) to understand the reasons underlying absence.

3.1 Authorised absences

Authorised absences are mornings or afternoons away from school for a good reason like illness, medical/dental appointments which unavoidably fall in school time, emergencies or other unavoidable causes.

From time to time, identified pupils will need to access respite services during term time due to their complexity of need. This means that they cannot attend school in the usual way.

This may be allocated an authorised absence code (eg ‘C’ or an appropriate attendance code such as ‘B’ or ‘K’) however this is dependent upon the individual

circumstances of the respite and whoever is the commissioning agency. For further clarification, schools should contact their School Attendance Consultant.

3.2 Unauthorised absences

Unauthorised absences are those which the school does not consider reasonable. If school has followed its attendance procedures and a pupil continues to have unauthorised absences, the school may see seek advice from the local authority School Attendance Support Team or request legal interventions from the School Attendance Legal Team. Examples of unauthorised absences are:

- Parents/carers keeping children off school unnecessarily.
- Absences which are not explained satisfactorily.
- Pupils who, without sufficient explanation from parents/carers, arrive at school after the register has closed.
- Days off for shopping/birthdays.
- Day trips and holidays in term time which have not been previously agreed by the head teacher.
- Days that exceed the amount of leave agreed by the head teacher.

It is the head teacher's responsibility to decide if an absence is authorised or unauthorised and, if there is any uncertainty relating to an absence, school may request further confirmation from parents before an absence is authorised. For absence due to illness, this may be in the form of:

- Sight of an appointment for your GP or for the hospital, clinic, etc.
- Sight of prescribed medication or prescription for medication.
- Sight of medical notes/records.
- A letter from a medical professional such as a specialist or consultant.

Refusal to provide such information, when requested, may result in absence being recorded as unauthorised.

Parents should not ask their doctor (GP) to provide "sick notes" to excuse absence.

Whilst any child may be off school because they are ill, sometimes they can be reluctant to attend school for other reasons. If your child is reluctant to attend school it is better to speak to school as soon as possible to resolve the issue, rather than trying to cover up their absence, or give in to pressure to let them stay at home. As a school, we will always work with parents/carers (and external agencies as appropriate) to understand and address the reasons behind absence.

3.3 Persistent Absence (PA)

Persistent absence is when a child misses 10% or more of their schooling across the school year for whatever reason, authorised and unauthorised (including illness, exclusion, holiday, etc). Absence at this level may be detrimental to the child’s overall progress and emotional wellbeing. The school will always work collaboratively with parents to address this and to agree next steps in support of pupils and their families.

At Elm Tree we monitor all absence thoroughly, therefore any pupil whose attendance indicates they are likely to reach the PA threshold will be prioritised and the school will contact parents to initiate a discussion around individual circumstances that are impacting upon regular attendance. Pupils who are persistent absentees are tracked and monitored carefully and the attendance procedures below (section 5) will be followed.

3.4 Severe Absence (SA)

The DfE has implemented an additional descriptor to categorise pupil attendance when a child misses 50% or more of their schooling across the school year. In the same way, this includes authorised and unauthorised absence (including illness, exclusion, holidays, etc).

3.5 Leave during term time

By law, maintained schools cannot authorise any leave in term time other than in exceptional circumstances. Taking a child out of school in term time may affect their progress as much as any other absence. If leave is being requested that involves arranging travel or accommodation, approval must be obtained from the head teacher before making any bookings.

Leave of absence in term time **will not** be granted unless:

- a request for leave has been made in advance by a parent with whom the pupil normally resides (using the form available on the school website or from the school office) and
- the head teacher considers that leave of absence should be granted due to the **exceptional circumstances** relating to the request.

Due to the need to evidence exceptional circumstances, parents are advised to provide school with any relevant information regarding their request at the point of application if they believe the circumstances are exceptional.

In considering the request school will also consider other factors such as:

- The timing of the requested leave, eg when a pupil is just starting at school or at a specific transition point.
- A pupil's attendance record already includes unauthorised absence.
- Attendance is already a concern, or could become a concern, as a result of taking leave.
- Other periods of leave which the pupil may have had, either during the current or previous academic year.

Any period of leave taken without the agreement of the school, or in excess of that agreed, will be classed as unauthorised and may attract legal sanctions such as a penalty notice.

3.5 Religious absence

School will authorise one day of absence per religious festival, eg Eid, and this will be marked as code R in the register. The day authorised will be that set aside by the religious body of which the parent is a member.

Parents must request any additional leave in advance, and this can only be authorised if the head teacher agrees that exceptional circumstances apply; this would be marked in the register as code C.

3.6 Participation in sporting events

Parents can request leave of absence for their child to take part in regional, national and international disability sporting events. However, as always, granting leave is at the head teacher's discretion and she/he will need to discuss with you the length and frequency of the absence(s) requested and how learning will continue if absence occurs, eg the sports club or association providing an approved education tutor.

Leave for a sporting activity that has been approved by the school and supervised by someone authorised by the school can be marked in the register as code P.

Permission for your child to leave early or arrive late to attend coaching and training sessions is also at the discretion of the head teacher and is unlikely to be approved if it would occur regularly.

3.7 Participation in performances (eg theatre, television, modelling)

Parents of a child performer can request leave from school for their child to take part in a performance. A local authority licence must be obtained before a child can take part in a performance. Before a licence is granted, school will be consulted, and head teachers must be satisfied that the leave will not have a negative effect on the child's education.

Where the licence specifies the dates that the child is to be away from school, the head teacher should authorise those days. However, where the licence does not specify dates, it is at the discretion of the head teacher to authorise the leave request. Any absence authorised for the child to take part in a performance will be recorded as code C1.

Parents wishing to apply for a performance licence should go the Lancashire County Council Child performance licences webpage.

4 Registration

4.1 Attendance registration

Morning registration is between 08.45am and 09.00am
Afternoon registration is between 1.00pm and 1.05pm
The school day starts at 08:45 am. Where possible, pupils are expected to be on the premises at that time and that is when the registration period starts (ie when the register is taken and remains open). The school recognises that the arrival of the majority of pupils at the start of the school day will be subject to the arrangements made for dedicated local authority transport.

When the attendance register has been taken it remains open until 9.15am in the morning and 1:15pm in the afternoon.

School finishes at 3:15pm.

4.2 Late arrival

Parents accompanying pupils who arrive after 09.00am (or 1.05pm) must go to the school office at the school's main entrance to sign in their child and give a reason for their lateness.

Pupils who arrive after the register has been taken but before it is closed (9.15am or 1.15pm), will be marked as code L. This is classed as late but present for the session (ie the morning or afternoon).

Pupils who arrive after the register has closed and without a valid reason for being late (such as attending a dental or medical appointment) will be marked as code U, which is classed as an unauthorised absence but indicates that the pupil was physically present in school for part of the session.

4.3 Punctuality

Poor punctuality is not in any child's best interests although it is understood that there may sometimes be a valid medical reason why a pupil may be late in school.

In the event that your child misses the start of the day it may have an adverse impact on their ability to settle in class, cope with a change to their usual routine and lead to dysregulation. Pupils arriving late may also disrupt lessons, which can also have a direct impact on the other pupils in class. Being 10 minutes late every day throughout the academic year is the same as missing two weeks of school.

If your child is often late you will be contacted by the school's Attendance team who will seek to discuss ways to improve punctuality, but you can approach us at any time if you are having problems getting your child to school on time.

Should your child have a medical condition that makes arriving on time a significant challenge then we ask that you approach the school as soon as possible so that we can agree a way forward. The school will normally work in liaison with health professionals to ensure that any plan is in the best interests of the pupil.

Persistent lateness after the register has closed may result in further action, as outlined below, under section 5.

5 School attendance procedures

5.1 First day of absence

If your child is absent and we have not heard from you, we will telephone you on the first day of absence to find out what the reason is and when your child is expected to return. If we are unable to contact you, we will approach your emergency contacts and, if necessary, make a home visit. Please note that such home visits may be unannounced.

5.2 Attendance concerns

Parents are expected to contact school at an early stage and to work with us in resolving any attendance problems together; this is nearly always successful. However, if concerns persist, school will use the following procedures and interventions, as required, to support parents in improving their child's attendance and/or punctuality:

- Telephone calls and/or letters to make parents aware of school's concern about their child's attendance.
- Invitation to meetings to discuss concerns with our Attendance officer and/or Senior Attendance Champion.
- Liaison with, where appropriate, your child's family support/social worker and related health professionals.
- Attendance contracts to identify barriers to regular attendance, ways to overcome these and agree targets for improvement.
- The Early Help Assessment (EHA) process and/or referral to other agencies and services, including School Nurses and Primary Mental Health Workers, if appropriate.
- For unauthorised absences, request legal interventions by the local authority, such as penalty notices, prosecution or other attendance-related court orders.

At any stage, we may seek advice from advice from the local authority School Attendance Support Team.

5.3 Pupils with medical needs who have difficulty attending school

Government guidance on supporting pupils at school with medical conditions (see appendix) emphasises the role of governing bodies in ensuring that pupils with medical conditions can fully access education in the same way as other pupils. A key element of this responsibility is reducing the amount of time missed by these pupils, whether their condition is short or long term.

As a specialist provision, we will work with parents and other relevant professionals to minimise absence for reasons of ill health. This may be in the form of reasonable adjustments, specific support or resources used within school, home visits and use of remote learning opportunities.

When a pupil has been absent from school for an extended period, the attendance officer and other support services will work with the family to ensure that a smooth return to school is achieved.

5.4 Pupils refusing to attend school

At Elm Tree we believe that every child has a right to a full-time education, and we would strive to support the parents of pupils who find it difficult to attend school due to their special educational needs. In such cases, we will work with parents to identify the reasons why a child may find it a challenge to attend school and agree on specific strategies to support him/her.

We may request advice from the School Attendance Support Team and, with consent, make referrals to other external partners such as the Learning Disability Team, CAMHS, Children and Family Wellbeing Service or Primary Mental Health Workers, as appropriate, to try to ensure the correct support is secured for the child and their parents.

5.5 Promotion of good attendance

School will promote and incentivise attendance by acknowledging good efforts to improve attendance by individual pupils who have additional needs or challenging

circumstances. The school remains very mindful of the fact that there may be individual pupils who would attend school were it not for a significant health issue or condition. A sensitive approach to this matter is taken when exploring attendance issues with individual pupils and their parents.

5.6 Use of penalty notices and other attendance legal interventions

Legal interventions may be sought if providing support to improve attendance is not appropriate (eg for an unauthorised holiday in term time), or has not been successful or engaged with. In accordance with the Lancashire code of conduct, we may request that the local authority issue penalty notices for unauthorised absences that include:

- Leave of absence which is taken without a prior request being made.
- Leave taken after a request has been declined.
- Days taken in excess of an agreed period of leave, without good reason.
- Other unauthorised absence that meets the required threshold, including sessions marked as late after the register has closed (code U).

On 19 August 2024 new penalty notice arrangements came into force, with changes to the cost of a penalty notice and to the thresholds at which penalty notices may be requested by school. The DfE now requires that schools **must** consider if a penalty notice is appropriate when the thresholds are met. The changes to be aware of are:

- Penalty notices issued for offences will be charged at £160 per parent per child. This will reduce to £80 if paid within 21 days.
- Any second penalty notice issued to the same parent for the same child within a rolling 3-year period will be issued at the rate of £160 to be paid within 28 days with no option for a discounted rate.
- The threshold at which a penalty notice must be considered is set at 10 sessions (equivalent to 5 days) of unauthorised absence within a rolling 10-school week period. This may include absences as a result of arriving late after the register closes. The 10 school weeks may span different terms or consecutive school years.
- A maximum of two penalty notices may be issued to a parent for the same child within a rolling 3-year period, so at the 3rd (or subsequent) offence(s) another course of action will need to be considered (such as prosecution or one of the other attendance legal interventions).
- If a school requests a penalty notice for absences other than unauthorised holidays, including being late after the register has closed, the local authority School Attendance Legal Team may issue a Notice to Improve to parents. A Notice to Improve is a final opportunity for parents to engage in support and improve attendance before a penalty notice is issued. If the national threshold has been met and offers of support have not been engaged with by parents or have not worked, a Notice to Improve may be issued to give parents a final chance to engage with support and improve their child's attendance.

The code of conduct for penalty notices and information and FAQs for parents can be found on the Lancashire County Council education penalty notice webpage.

6 Alternative provision and use of directions

There is a range of circumstances when pupils might be required to access educational provision at a venue other than their main school. The main reasons are:

- Pupils unable to access provision at their main school for medical reasons.
- Pupils required to attend another venue for the purpose of improving behaviour, either on a temporary basis or with a view to making a permanent move to the alternative provision (via a managed move).

When a pupil is required to attend alternative provision for the purposes of improving behaviour, the governors of the main school must issue a written direction or notice informing all parents of the alternative provision which their child is required to attend. Where a pupil is required to attend alternative provision for other reasons, the issuing of a written direction is considered best practice.

7 Notifications school must submit to the local authority

7.1 Admissions

All schools must notify the local authority within five days of adding a pupil's name to the admission register and must provide the local authority with all the information held within the admission register about the pupil. This duty does not apply to pupils who are added to the admission register at the start of the school's youngest year unless the local authority also requests for such information to be provided (currently Lancashire does not).

7.2 Leavers

All schools must notify the local authority when a pupil's name is to be deleted from the admission register under any of the grounds prescribed in Regulation 9 of The School Attendance (Pupil Registration) (England) Regulations 2024, as soon as the ground for removal is met and no later than the time at which the pupil's name is removed from the register. This duty does not apply where the pupil's name is removed after they have completed the school's final year, unless the local authority requests for such information to be provided (Lancashire currently does not).

Where a school notifies a local authority that a pupil's name is to be deleted from the admission register, the school must provide the local authority with the required information as laid out in the regulation.

In addition to submitting a notification about removal from roll, some circumstances also require school to make referral to other local authority teams such as the Elective Home Education team or the Children Missing Education team. Schools may also contact the School Attendance Support Team for advice on removing children from roll. For pupils with an EHCP on roll at a special school, the school must have the agreement of the Lancashire Inclusion Service (SEND) before removing from roll.

7.3 Pupils who fail to attend

Attendance returns: all schools must inform the local authority of any pupil of compulsory school age who fails to attend school regularly or has been absent without the school's permission (codes G, O, and/or U) for a continuous period of 10 days or more. In Lancashire schools, this can be done via a variety of means and school can contact the School Attendance Support Team for further advice.

Sickness returns: all schools must inform the local authority of any pupil of compulsory school age who has been recorded absent with code I (illness) and who the school believes will miss 15 days consecutively or cumulatively due to sickness. Only one sickness return is required for a continuous period of sickness in a school year.

7.4 Pupils on a part-time timetable

Schools must also inform the local authority when a pupil is placed on a part-time timetable. In Lancashire, this should be done via the eForm available to schools.

7.5 Children missing education (CME)

Local authorities have a duty to put in place arrangements for identifying (as far as possible) those children of compulsory school age in their area who are not school registered or receiving suitable education otherwise than at a school. Local authorities should trace those children and ensure they receive a full-time education.

If a pupil has stopped attending and her or his location is unknown, schools must make reasonable enquiries to establish the whereabouts of the child jointly with the local authority, before deleting the pupil's name from the register. In such cases, school should undertake a home visit, prior to a referral being made to the local authority Children Missing Education team.

Appendix: School attendance and the law

There are many pieces of legislation and government regulations and guidance that are relevant to school attendance and to children and their parents and carers. The list below relates to this attendance policy but is not exhaustive. Some elements of government regulations and DfE guidance do not apply to academies and independent schools (but may apply to independent special schools).

Parents and carers

Duty to ensure children receive education

Section 7 of the Education Act 1996 covers the duty of parents to secure the education of children in their care who are of compulsory school age and 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 educational needs he may have,*
> *either by regular attendance at school or otherwise.*

Offence if a child does not attend regularly

Under Section 444 of the Education Act 1996, if a child of compulsory school age who is a registered pupil at a school fails to attend regularly, their parent is guilty of an offence.

The offence is absolute as the only defences available to the parent are those statutory defences listed within that section of the Act, ie:

- the child was absent with leave granted by the school;
- the child was prevented from attending by reason of sickness or any unavoidable cause;
- absence was on a day exclusively set apart for religious observance by the religious body to which their parent belongs;
- that the school is not within statutory walking distance and that the local education authority has made no suitable transport arrangements or enabled the pupil to become registered at an alternative nearer school.

Compulsory school age

Section 8 of the Education Act 1996 establishes that a child becomes of compulsory school age on the start date of the term following her/his fifth birthday, or that day if her/his fifth birthday falls on the day term starts.

A child ceases to be of compulsory school age on the last Friday in June in the academic year in which he/she reaches the age of 16 or if he/she reaches 16 after the last Friday in June but before the start of the new school year.

Legal definition of "parent" in relation to attendance

The law requires that all “parents” are held responsible for their child’s attendance. This definition can include any person who has care of the child. Section 576 of the

Education Act 1996 states:

> *Meaning of "parent".*
> *(1) In this Act, unless the context otherwise requires, "parent", in relation to a child or young person, includes any person—*
> *(a) who is not a parent of his but who has parental responsibility for him, or*
> *(b) who has care of him.*

Thus, the definition of "parent" means all natural parents, whether they are married or not, and includes any person who, although not a natural parent, has parental responsibility and/or care for a child or young person.

Schools

Attendance and absence registration codes

Working together to improve school attendance, DfE statutory guidance 2024, explains which codes schools should use to record attendance and absence in their registers, and specifies the DfE's expectations of schools and local authorities with respect to school attendance.

Data protection

Schools must ensure that personal data is handled in accordance with the Data Protection Act 2018. See Elm Tree's Privacy Notice for information about how personal data will be used.

Duty for schools to include attendance information in reports for parents

The Education (Pupil Information) (England) Regulations 2005

Duty for schools to notify the local authority when pupils join or leave school

Regulation 13 of The School Attendance (Pupil Registration) (England) Regulations 2024

Duty for schools to report attendance concerns about individual pupils to the local authority

Regulation 13 of The School Attendance (Pupil Registration) (England) Regulations 2024

Duty for schools to safeguard and promote the welfare of children

Keeping children safe in education, DfE statutory guidance, regularly updated

Duty for schools to share attendance data with the Government

Section 537A of the Education Act 1996 and

Share your daily school attendance, DfE guidance 2024

Leave of absence

Regulation 11 of The School Attendance (Pupil Registration) (England) Regulations 2024

Legal interventions

Parents/carers commit an offence if a child who is on a school roll fails to attend regularly and those absences are recorded by the school as unauthorised.

Legal interventions are available under the following acts, guidance and regulations:

- Section 444 of the Education Act 1996
- Section 36 of the Children Act 1989
- Section 23 of the Anti-Social Behaviour Act 2003
- The Education (Penalty Notices) (England) (Amendment) Regulations 2024
- School attendance parental responsibility measures, DfE guidance 2015

Pupils experiencing social, emotional or mental health issues

Mental health issues affecting a pupil's attendance: guidance for schools, DfE 2023

Mental health and behaviour in schools, DfE 2018

Pupils with health needs who cannot attend school

Arranging education for children who cannot attend school because of health needs, DfE statutory guidance 2023

Supporting pupils at school with medical conditions, DfE statutory guidance 2015

Pupils with individual needs and specific barriers to attendance

When considering the individual needs of pupils and families who have specific barriers to attendance, schools should be mindful of their obligations under the UN Convention on the Rights of the Child and the Equality Act 2010. The Technical Guidance for Schools in England, published by the Equality and Human Rights Commission, outlines the requirements of the Equality Act 2010 for schools.

Regulations regarding participation in performances

The Children (Performances and Activities) (England) Regulations 2014

Regulations regarding removal from roll

Regulation 9 of The School Attendance (Pupil Registration) (England) Regulations 2024

Regulations regarding the school day and number of sessions

The Education (School Day and School Year) (England) Regulations 1999

Requirement for mainstream, state-funded schools to deliver a school week of at least 32.5 hours

Length of the school week, DfE guidance 2023

Specialist and alternative provision settings are also encouraged to consider extending their core week where appropriate.