



## St Giles Junior School

### Attendance Policy

At St. Giles Junior School we want every pupil to attend school every day and this attendance policy sets out what is expected so this can be achieved.

Adopted by the Governing Body:

**Signed:** \_\_\_\_\_

Chair of Governors

\_\_\_\_\_

Head Teacher

**Date:** September 2014

**Date of Next Review:** September 2015

## WHOLE SCHOOL ATTENDANCE POLICY

### RATIONALE

At St. Giles junior School we recognise that attending school regularly has a positive impact on learning progress and therefore the best life chances for children. We will encourage good attendance for all pupils, by offering an environment in which pupils feel valued and part of the school community.

- The Education Act 1996 requires parents and carers to ensure their child receives efficient full-time education, suitable to the age, ability, aptitude and any special needs they may have either by regular attendance or otherwise.
- Under current government legislation, all absence figures, together with the reasons for absence have to be reported to the Schools Governing Body, Local Authority (LA), Warwickshire Attendance Compliance and Enforcement Team (ACE) and the Department for Education (DfE).
- Parents, guardians and carers must ensure that they are fully aware of the school's Attendance Policy as any absence will have a huge impact on the child's learning. Regular school attendance is essential and parents, guardians and carers, together with school staff all have a part to play in ensuring full potential is achieved.
- Pupils are expected to attend school for the entire duration of the academic year, unless there is an exceptional reason for the absence. The Department for Education requires Local Authorities to implement Government amendments to the regulations regarding the taking of Leave of Absence in term-time, which came into force on the 1<sup>st</sup> September 2013. The new law gives no entitlement to parents to take their child on holiday during term time.

There are *two* main categories of absences:

- **Authorised Absence:** is when the school has accepted the explanation offered as satisfactory justification for the absence, or given approval in advance for such an absence. This can only be granted in exceptional circumstances.
- **Unauthorised Absence:** is when the school has not received a reason for absence or has not approved a child's absence from school after a parent's request.

Please be aware that that when a parent telephones the school with information that their child is unable to attend due to illness, or other circumstances, this may not be automatically authorised. A child's current and previous school attendance will be taken into consideration and as a result the absence may not be authorised.

The achievement and maintenance of high levels of attendance is the shared responsibility of parents, guardians or carers, the school with its Governing Body and the Local Authority.

There is a clear connection between regular attendance and achievement. As attendance deteriorates, so does performance, achievement, friendship circles and self-esteem.

### **Celebrating Good Attendance**

***What we know is that there are no "silver bullet" approaches*** – We always aim to be a successful school who works on attendance issues on multiple fronts. One of these is rewarding children whose attendance is above the school's average. Where possible, when calculating attendance percentages, we try to highlight the children whose attendance is at or above the school attendance target, rather than simple average attendance, that can easily be affected by one child's absence.

### **Approaches we currently use –**

- Weekly attendance award of the school mascot, St Jowls, goes to the class that has the highest percentage of children with 96% or more.
- Half – termly class competition for the class with children that have the highest percentage of children with 96% or more. This is presented in a league table format, children are allowed to 'name' their class, and extra league point can be gained for 100% attendance for the week. The winning class receives a 'film treat' afternoon.
- Attendance assemblies are half-termly, children receive an award depending on their level of attendance for the half term, then the full term. Their attendance is celebrated with an attendance sticker; GOLD – 99% to 100%, SILVER – 97% to 98%, and BRONZE – 95% to 96%.
- The children with the best attendance in the school at the end of the academic year receive their own attendance certificate and a reward –. The reward can be limited to the top 30 children, but depends where a fair cut off percentage can be calculated.

## **1. AIMS OF THE POLICY**

The school aims to work together with parents to ensure that children of compulsory school age attend both regularly and punctually.

- To ensure that routines are in place for monitoring attendance and for early identification of any difficulties.
- To work together with parents in order to achieve high standards of attendance and punctuality.

## **1. ROLES AND RESPONSIBILITIES**

### **2.1 Class Teachers are responsible for:**

- Completing the class register on time using appropriate codes and returning it to the School Office each morning and each afternoon with all letters, notes and verbal information regarding absences.
- Emphasising with their class the importance of good attendance and punctuality.
- Informing the Head teacher where there are concerns and acting upon them.
- Discussing attendance issues and school attendance policy at Parents Evenings.

### **2.2 Administration Staff are responsible for:**

- Following up specific requests from the Head Teacher or Attendance Officer for information about individuals.
- Contacting the child's home by 9.30am on the first day of absence if the parent / guardian has not contacted the school.

If a child is absent and no contact has been made by the family, the School Office will contact the family on the first day of absence. If contact cannot be made the Attendance Officer should be informed and, in the case of prolonged or repeated absence without justification being given, the Head Teacher and Attendance Officer will determine whether the EWO / ACE Team should be advised.

- Processing and following up absence request forms
- Promptly issuing registers and processing on a weekly basis.
- Entering information on SIMS and to the LA.
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### **2.3 The Attendance Officer is responsible for:**

- Contacting families where concerns are raised about absence.
- Monitoring individual attendance on a daily basis where concerns have been raised about absence.
- Providing reports and background information to inform the Governor responsible for attendance, the school's EWO and the ACE Team.
- Providing a point of contact between individual teachers, the Head teacher, the Governing body and the EWO,
- Providing information about attendance trends and class percentages to Head teacher and Attendance Governor.
- Informing the Head teacher on a formal and an informal basis of patterns of attendance noted.
- Collating attendance percentages
- Acting as a point of contact for teaching and non - teaching staff where concerns need to be raised or advice sought.
- Liaising with other professionals to determine potential sources of difficulties and reasons for absence.
- Ensuring that the attendance policy is followed and that the actions from the EWO meetings are carried out.
- Writing to parents and contacting the EWO / ACE team when attendance drops below 85%.
- Liaising with and discussing with parents issues relating to attendance.

### **2.4 The Head Teacher is responsible for:**

- Ensuring that Government legislation is adhered to.
- Overall monitoring of school attendance.
- Promotion of attendance issues during assemblies.

## **2.5 School Governors will:**

- Adopt an Attendance Policy and review it annually.
- With the Head Teacher and Attendance Officer agree statutory targets for attendance at St. Giles Junior School.
- Ensure that they receive reports from the Attendance Officer regarding school attendance as part of the school monitoring process.
- Nominate a Governor responsible for attendance as required by the Warwickshire Attendance Compliance and Enforcement Team (ACE).
- Where the school is not meeting its attendance target, or when the Governors believe there is cause for concern, to require a review of the systems and procedures in place to promote good attendance.
- To promote the strong links between attendance and educational attainment to parents and pupils where appropriate and ensure that the school attendance policy and procedures are communicated effectively.

### **Parents / Carers are asked to support the policy by:**

- Providing up to date contact numbers and address changes.
- Ensuring that their child arrives at school on time each day.
- Informing the school if their child is going to be late, e.g. if the car breaks down; if an urgent appointment has been made.
- Understanding the importance of good attendance and punctuality and promote this with their child.

### **2.6.0 If your Child is absent:**

- Notifying the school when their child is unable to attend, with a reason, by 9.30am on the first day of the absence.
- Keeping the school informed (in cases of lengthy absences) so that work can be sent home in certain cases and in order for the school to be prepared for the child's return.
- Providing a written note to the class teacher or school office on the day the child(ren) return/s to school confirming the reason and length of absence.

### **2.6.2 If your Child has to attend an Appointment:**

Providing a note indicating attendance at the dentist, doctor or optician before the arranged appointment unless an emergency situation has arisen.

### **3. Holidays / Extended Leave in Term Time**

The Department for Education states that no parent / carer can demand leave of absence as a right. The Education Regulations state that applications must be made 6 weeks in advance by a parent / carer with whom the child lives and can only be authorised by the school in exceptional circumstances. Each leave application is considered individually by the school taking into account any factors presented by the family. Application forms are available from the school office. The Head Teacher will also welcome early discussion with parents / carers around potential applications.

Legally, Head teachers would not be expected to class any term time holiday as exceptional, therefore, Head teachers will only be able to grant leave of absence in exceptional circumstance and this will be made at the discretion of the Head Teacher and Attendance Governor.

### **4. Leave of Absence**

The following are examples of the criteria for leave of absence, which may be considered as 'exceptional':

- Service Personnel returning from active deployment.
- Where inflexibility of the parents' leave or working arrangement is part of the organisational or company policy. This would need to be evidenced by the production or confirmation from the organisation / company.
- Where leave is recommended as part of a parents' or child's rehabilitation from medical or emotional problems. Evidence must be provided.
- When a family needs to spend time together to support each other during or after a crisis.
- Religious Festival.

This is not an exhaustive list and the Head teacher and Attendance Governor must consider the individual circumstances of each case when making a decision on this matter. Leave is only acceptable against exceptional circumstances and should not be granted on the basis of attendance record, academic performance or the 'experience' offered by being out of school. Where a Head Teacher feels that there

may be exceptional circumstances which do not fit the criteria, they may refer to the local authority for advice. The decision of the Head teacher is, however, final.

Where a child is taken out of school for the purpose of leave of absence in term time without the permission of the school, the attendance will be coded as unauthorised and as such may result in a Penalty Notice. Penalties are applied by the Local Authority and as such are not at the discretion of the Head teacher. If a Penalty Notice is not paid, the matter may be taken to prosecution in the Magistrates Court.

Amendment to 2007 Penalty Notice Regulations will reduce the timescales for paying a penalty notice. From September 1<sup>st</sup> 2013 parents must pay £60.00 (*per parent, per child*) within 21 days or £120.00 within 28 days. This brings attendance penalty notices in line with other types of penalty notices and allows local authorities to act faster on prosecuting if the fine is not paid.

Following the changes implemented by the Department for Education St. Giles Junior School discourages the taking of holidays in term time. However, the Governors have agreed that the Head teacher may approve holidays during term time in special / exceptional circumstances of up to 10 days per school year, on receipt of a prior request from the parent with whom the child usually resides, unless the request is considered inappropriate.

A request will be considered inappropriate if:

- It is during, or directly prior to, SAT's week
- There are existing or historic attendance concerns
- It is thought that the child's educational progress would be put at significant risk as a result of being absent from school.

A holiday will not be authorised where a child is already a persistent absentee or would become so as a result of the leave being taken.

In extremely exceptional cases a period of extended leave beyond 10 days may be agreed by the Head teacher in consultation with the Chair of Governors.

Parents / Carers who wish to request holidays during term time should complete an application form, available from the School Office, OR put their request in writing to the Head teacher, at least 6 weeks in advance of the first proposed date of absence.

The Head Teacher will invite the parent / carer to attend a meeting to discuss their request with the Attendance Panel (Head Teacher and / or Attendance Officer, or Attendance Governor). Following the meeting, the Head Teacher will advise in

writing within 5 days whether the absence will be authorised or not. (App 7 or App8).

The Head Teacher will complete the Attendance Panel Meeting Form (App 5 )which will be kept together with supporting evidence in the pupils' file for future reference.

## **5. Authorised and Unauthorised Absence**

Absences can be authorised if they are for certain reasons e.g. sickness, religious observance, absence following the death of a close member of the family. The ultimate responsibility to authorise absence rests with the Head teacher, but this is within the guidelines laid down by Government Legislation and monitored by the LA, If the Head teacher is not satisfied with the reasons provided, the absence may be categories as unauthorised.

Examples of when an absence will be classified as unauthorised:

- A child is kept off school because a parent or sibling is ill.
- The parent cannot get the child to school.
- The child is taken on a shopping trip.
- A child is absent due to family work patterns.
- The child refuses to come to school or wants to stay at home.
- A child is more than half an hour late without a satisfactory explanation.
- Oversleeping without a satisfactory explanation.
- Having a hair appointment.
- Birthdays.

**6.0 Unauthorised Absence.** This includes holidays which are taken without a prior request being made; and those taken after a prior request has been made and parents have been informed that the period of absence would be classed as unauthorised but the holiday has been taken regardless of this advice

Each child's unauthorised absences (including unauthorised holiday absences) will be noted and recorded on an annual report to parents.

## **7. Persistent Absentees (PA)**

At St. Giles Junior School Persistent Absentees are defined as children whose attendance is below 95%. However, this may also apply to children whose attendance is above 95% but where there are concerns about deteriorating

attendance or where patterns are emerging e.g. regular absences on particular days or persistent lateness.

The Attendance Officer will monitor the late book on a weekly basis to see if there are any children who are persistently late and their parents will then be invited into school to discuss the situation.

Parents will be informed of the school's concerns regarding persistent absence in writing from the Attendance Officer.

Due to the seriousness of PA status it is highly likely that such cases will be referred to the ACE Team. Furthermore, the names of individual pupils who are classed as persistent absentees are reported to the Department for Education annually; along with whole school absence figures

The Chair of Governors, Attendance Governor, Head teacher, Attendance Officer and EWO will attend any necessary 'fast track' attendance meetings with parents of persistent absentee pupils.

### **7.1 Punctuality and Persistent Lateness**

In the morning the school doors are open at 8.45am.

Children arriving after 9.00am but before 9.15am will be recorded as 'late before the registers have closed'. Children arriving after 9.15am will be recorded as 'late after registers have closed'.

If a child is persistently late the Attendance Officer will write to parents to inform them of the number of days the child has been late and to reinforce the school policy and expectations.

If lateness persists the Attendance Officer will invite parents to a meeting to discuss ways in which the school can support the family in getting the child to school on time.

The Attendance Officer may withdraw the privilege of the late mark for children who arrive persistently late after 8.55am and before 9.25am. An unauthorised late would be recorded.

When a child has accumulated **12 unauthorised lates in a six week period** the Attendance Officer will refer the family to the ACE Team. They will deal with the late issue case and investigate why a child has been late on the dates given. This investigation could result in parents receiving a warning notice. Alternatively a fixed penalty fine could be issued per child to each adult who has parental responsibility.

## **8. Medical Appointments**

- Parents should inform the Class Teacher in writing indicating attendance at the dentist, doctor or optician before the arranged appointment unless an emergency situation has arisen.
- Children should be collected from and returned to the school office to be signed in and out when attending medical appointments during the school day. If a child has an appointment in a morning or afternoon session and does not attend school for the other session, this will be recorded as unauthorised absence unless it has been agreed with the Head teacher.
- Unless there are exceptional circumstances we are unable to authorise a whole day for medical appointments.

## **9. Public Performances**

On occasions children become involved in public performances for dance clubs, theatres etc.

- The Head teacher has the discretion to grant authorised absence for these events
- The Head teacher will take into account individual circumstances such as the attendance record of the child, whether the child would miss tests or any other exceptional circumstances. If any child has an attendance record of less than 95% then authorisation will not be given. Permission is at the discretion of the Head teacher and may not always be granted.
- Parents must obtain a licence to perform from the employing agency and this must be submitted to the Head teacher for completion.
- A letter must also accompany the licence indicating the time out of school that the child will require in order to participate in the performance including time required for rehearsals.
- Absences for rehearsals will be recorded as unauthorised.
- Parents are asked to reflect upon the effect the performance will have upon their child as any absence due to a child being tired after a performance will be recorded as unauthorised.

## **10. Monitoring, Analysis and Action Planning**

St. Giles Junior School will use electronic systems for monitoring attendance at both individual pupil and whole school level, and will analyse patterns and trends of non-attendance to inform future action planning and target setting in respect of whole school attendance matters.

- The Attendance Officer will keep the Governors informed about attendance matters
- All staff, parents and carers will be expected to comply with the policy and any issues will be discussed at an appropriate level.
- The Head teacher will ensure that Government legislation is adhered to regarding authorised and unauthorised absence.
- The Attendance Officer will consult with the EWO / Governor for Attendance to discuss concerns and review absence data.

## **10. Monitoring**

- Where a pupil is late for school on 3 occasions in a month, parents will be notified in writing (APP 1) together with a copy of their child's SIMS attendance report). Regular lateness will be recorded on the pupil's file and may be included as a comment in any future reference
- Quarterly attendance checks will be carried out to report on children whose attendance is falling 5% below the school target or 95% for any identifiable group. A letter will be sent home explaining our concern and attendance procedures (App 2 / App2a). Parents will be informed that we will be monitoring attendance and will be given the opportunity to discuss matters with the Attendance Officer.
- Where the pattern of attendance has still not improved and has fallen below 86% the parents will be informed of Stage 1 procedures (App 3). Parents will be invited to school to discuss the reasons with the Attendance Officer. Parents will be made aware that a referral to the Warwickshire Attendance, Compliance and Enforcement Service (ACE) will be the next step in our procedures.
- If the pattern of attendance continues to deteriorate below 86% for a period of 3 weeks then final stage procedures will be carried out and the parents notified (App 4).
- If there is still no improvement a letter will be sent stating a referral has been made to the ACE Team and the LA will set and monitor the targets set by ACE. Failure to meet the targets set will result in a Fixed Penalty Fine and **No** absences will be authorised unless supported by a letter from a GP

## **12. Analysing**

Staff and parents have been made aware of both the changes to legislation and our school's mission to improve attendance and we continue to work towards our target of 95% and therefore we closely monitor the progress we are making. Accurate monitoring and analysing attendance data enables strategies to be implemented to improve attendance and work towards the local and national targets set.

## **13. Partnership Working**

St. Giles Junior School will work with the Warwickshire Attendance Compliance and Enforcement Team (ACE) and the School EWO and other support agencies as appropriate to ensure regular attendance at school. The criteria for referral and areas of responsibility for staff will be set out in the procedural framework on attendance and the ACE guidelines.

St. Giles Junior School will make every attempt to work with Exhall Cedars Infant, Nursery and Pre - School and local Secondary Schools when requests for term time absence are made. Any parent making a request who has a child at Exhall Cedars Infant, Nursery and Pre - School or local Secondary Schools will be advised to put their request to the Head Teacher at the Infant or Secondary School prior to a decision being made at St. Giles. This is to prevent any misunderstanding between schools and ensure all Head Teachers are happy with the decision made and to enable effective communication between all schools. (App 6).

#### **14. Criteria and Systems for Referral to and Working with the Warwickshire Attendance Compliance and Enforcement Team (ACE)**

The document is filed in the School Office

The Head teacher should regularly discuss attendance matters with the EWO and Governor responsible for attendance.

The purpose of these discussions is to:

- Monitor progress towards targets, highlighting any concerns and identifying any action required.
- Receive guidance on latest best practice.
- Receive information about local and national trends and benchmarking.
- Discuss whether current attendance policies and procedures are effective.

The Head teacher is also responsible for ensuring consistent referral of regular or unjustified absence. The criteria for referrals are outlined in the ACE documentation which is kept in the School office.

#### **15 School Systems for Reintegrating Pupils who have had long term absence**

When a pupil has been absent from school for an extended period, the Head teacher, Class teacher and other support services will liaise with the family to ensure that a smooth reintegration is achieved.

#### **16 Alternative Curricular Activity**

If school is notified that a pupil will be absent for an extended period the Attendance Officer will liaise with the family and other support services to determine how the pupil can maintain their educational progress.

#### **17 Communicating of Attendance Policy and Procedures**

The school has a legal duty to publish its absence figures to parents and to promote Attendance. Equally, parents have a duty to make sure that their children attend.

All school staff are committed to working with parents and pupils as the best way to ensure as high a level of attendance as possible.

The Governors have determined that:

- The Attendance Policy and related information will be placed on the School Website

- Details of the Policy and the procedure for requesting absence, holidays in term time, and signing in and out of school will be disseminated as part of the new parent induction process e.g. induction package, talks to new parents and when changes are made to all parents
- Reference to the School Attendance Policy re Holidays during term time and absence is to be made clear when the school calendar of dates is sent out each year.
- Summary of Responsibilities under the Attendance Policy will be contained in the Home / School Agreement
- Staff responsibilities will be contained in the staff handbook
- The Head teacher will ensure that school staff receive training regarding their responsibilities re: the Attendance Policy and Procedures
- The Attendance Officer will provide a summary of attendance and causes for concern at least annually to the governors
- Details of the absence record and targets of / for the school will be communications as part of the School Profile

## **18 Complaints Procedure**

If any parent / carer has a concern relating to the Attendance Policy we encourage them to talk to their child's class teacher immediately.

Any complaints will be dealt with in accordance with the St. Giles Junior School Complaints Procedure.

## **19 Monitoring, Evaluation and Review**

Monitoring attendance is the responsibility of the Attendance Officer, SMT and Attendance Governor and termly feedback will be provided to the Governing Body.

The Governing Body will review this policy and the associated procedure annually to assess its implementation and effectiveness.

## **APPENDIX**

### **School Attendance Information**

#### **Definition of a parent**

A parent means:

All natural parents, whether they are married or not.

Any person who has parental responsibility for a child or young person and

Any person who has care of a child or young person i.e. lives with and looks after the child.

The Local Authority and school will need to decide who comes within the definition of parent in respect of a particular pupil when using the legal measures, but generally parents include all those with day to day responsibility for a child.

#### **Context of the School Attendance Measures**

Parents are responsible for making sure that their children of compulsory school age receive a suitable full-time education. This can be by regular attendance at school, at alternative provision, or otherwise e.g. the parent can choose to educate their child at home).

A child reaches compulsory school age on or after their fifth birthday. A child continues to be of compulsory school age until the last Friday of June in the school year that they reach sixteen. From September 2013 all 16 year olds will be required to continue in education or training until the end of the academic year in which they turn 17. From September 2015 they will be required to continue until their 18<sup>th</sup> birthday.

#### **School Attendance Orders**

If it appears to the Local authority that a child of compulsory school age is not receiving a suitable education, either by regular attendance at school or otherwise, then they must begin procedures for issuing a School Attendance Order. The order will require the child's parents to register their child at a named school. If they fail to comply with the order the parent can be prosecuted.

#### **Prosecution by Local Authorities**

If a child of compulsory school age fails to attend regularly at a school at which they are registered or at a place where alternative provision is provided for them the parents may be guilty of an offence and can be prosecuted by the Local Authority. Only Local Authorities can prosecute parents and they must fund all associated costs. Local Authorities should consider the Attorney General's Guidelines for Crown Prosecution in all prosecution cases.

Local authorities must conduct all investigations in accordance with the Police and Criminal Evidence (PACE) Act 1984.

Local authorities have the power to prosecute parents who fail to comply with a school attendance order (section 443 of the Education Act 1996) or fail to ensure their child's regular attendance at a school (section 444 of the Education Act 1996).

Section 444 has two separate but linked offences: Section 444(1): where a parent fails to secure the child's regular attendance; and section 444(1a) where a parent knows that the child is failing to attend school regularly and fails to ensure the child does so. Section 444ZA applies the offence to where parents fail to secure the regular attendance of their child at a place where alternative provision is provided. There are statutory defences for parents to use under the Act. The fines available to the courts if parents are found guilty of the section 444(1) offence include a level 3 fine of up to £1,000. If they are found guilty of the section 444(1A) the fine is at level 4, up to £2,500 and the court can also sentence them to imprisonment for up to three months. Local authorities have the power to prosecute parents of pupils found in a public place during school hours after being excluded from school. The fine is a level 3 fine of up to £1,000.

### **Education Supervision Orders**

The local authority must consider applying for an Education Supervision Order (ESO) before prosecuting parents. A local authority may apply for an ESO instead of or as well as prosecuting parents. The order is placed on the child and the local authority is appointed by the court to supervise that child's education either at a school or at home for a specified period of time.

### **Penalty Notices**

Penalty notices are fines of £60.00 / £120.00 imposed on parents. They are an alternative to the prosecution of parents for failing to ensure that their child of compulsory school age regularly attends the school where they are registered or at a place where alternative provision is provided. Penalty notices can be issued to each parent liable for the attendance offence or offences.

Penalties can be used where the pupil's absence has not been authorised by the school.

Penalties may also be issued where parents allow their child to be present in a public place during school hours without reasonable justification during the first five days of a fixed period or permanent exclusion. The parents must have been notified by the school at the time of the exclusion of this and the days to which it applies.

### **The Code of Conduct**

The *Education (Penalty Notices) Regulations 2007* set out the details of how the penalty notice scheme must operate. This includes a requirement that every local authority must draw up and publish a Code of Conduct for issuing penalty notices, after consulting all schools, including academies, and the police. The code should set out the criteria that will be used to trigger the use of a penalty notice. These could include: a number of unauthorised absences, perhaps within a rolling academic year; one-off instances of irregular attendance such as holidays taken during term time without the school's permission; and where an excluded child is found in a public place during school hours without a justifiable reason.

The local authority administers the scheme for all schools in its area, including academies and Free Schools.

### **Payment of Penalty Notice**

#### **From the 1<sup>st</sup> September 2013**

The penalty is £60.00 (per parent, per child) if paid within 21 days of receipt rising to £120.00 if paid after 21 days but within 28 days. The payment must be paid direct to the local authority. The parents can only be prosecuted if 28 days have expired and full payment has not been made.

There is no right of appeal by parents against a penalty notice. If the penalty is not paid in full by the end of the 28 day period the local authority must decide either to prosecute for the original offence to which the notice applies or withdraw the notice.

**Can schools decide whether parents should be prosecuted or not?** No. Only local authorities can make decisions on whether parents should be prosecuted for school attendance offences. All schools (including academies) have a duty to refer regular absence (authorised and unauthorised) to the relevant local authority. This may include any evidence to show how they supported the pupil and parent to improve attendance. It is for each local authority to judge each referral on its own merits and make a decision on the next probable cause of action.

It is the statutory duty of local authorities to carry out investigations including witness statements leading up to prosecutions. Local authorities should conduct all investigations in accordance with PACE and Attorney General's Guidelines for Crown Prosecutors. Local authorities cannot delegate this function to schools (including academies) or charge them for this service.

## Child Attendance Review Monitoring Structure

2014-15

### The Half termly Monitoring

Each half term the DHT and the Attendance Team meet to discuss any concerns and follow up the progress of individuals. Prior to the meeting, the following information is collected:

- Attendance record for any child with less than 95% or 5% attendance below the school target.
- Attendance record for any child whose absence shows particular trends.
- Attendance record for any child who has been frequently arriving at school late.
- Class percentage totals.

Information is shared about previous cases and decisions taken about the next stages of intervention where this is appropriate. Decisions taken are recorded on the attendance monitoring sheet. It is expected that reasonable steps have been taken by the school prior to ACE intervention.

Following the meeting class teachers are notified of the outcome and agreed actions are discussed with office staff and followed up as appropriate.

### Procedural Monitoring Route

Attendance Concern Value	Action	By Whom
Between 95% or 5% below target and 86%	Letter sent out informing the level of current attendance. Concerns expressed and an outline of the course of action the school will take if there is no improvement.	DHT, with any valid reasons taken into account from staff
Below 86%	Letter posted out indicating the level of – Current attendance Career attendance Current broken weeks percentage Career broken weeks percentage	DHT, with any valid reasons taken into account from staff  ACE Team

	<p>Concerns expressed and an outline of the course of action the school will take if there is no improvement.</p> <p>Informing the parent/ carer that a half term target has been set and time limit to be achieved by</p> <p>ACE team to lead meetings for any child who's attendance does not reach agreed target.</p>	
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## App 1

Dear Parent / Carer of

I am writing to let you know that your child has been late on three occasions this month. I have enclosed a registration certificate for your information.

Please may I respectfully remind you that the doors open at 8.45am in the morning ready for registration at **8.55am**. Lateness will often mean that the children will miss the introduction to their learning. 5 minutes lateness each day is equal to 25 minutes per week or approximately one day per half term of missed learning.

Please could you try and send your child to school before **8.55am**. If you are having any difficulties with this please do not hesitate to make an appointment to come and discuss this further. Lateness will be monitored for improvement.

Thank you for your co-operation in this matter.

Yours sincerely,

Dear Parent / Carer of

**Re: Half Termly Attendance Checks**

I am writing to let you know your child's attendance for the period----- . This is a standard procedure to write to all parents where attendance falls below 90% to make them aware that we monitor and report on all children's attendance. As a school we are set targets for attendance by the Local Authority and the Department for Education.

I fully understand and appreciate that your child may have been ill or that you may have had absence for exceptional circumstances, but please be aware that if attendance levels continue to operate below 90% we will begin our attendance procedures:

- **Stage 1:** If attendance continues to fall below 90% then you will be invited to meet with the Attendance Officer to see if there are any underlying circumstances which we can help with. If after further monitoring, attendance drops below 86% then;
- **Stage 2:** formal letter to parents and referral to Local Authority ACE Team. Please be aware this letter is just to inform you that your child's attendance is xx%. It **does not** form part of formal stage one at this point, however attendance will be monitored.

Thank you for your co-operation in this matter,

Yours sincerely

Dear Parent / Carer of

**Re: Half Termly Attendance Checks**

I am writing to let you know your child's attendance for the period-----. This is a standard procedure to write to all parents where attendance falls below 95% to make them aware that we monitor and report on all children's attendance. As a school we are set targets for attendance by the Local Authority and the Department for Education.

I fully understand and appreciate that your child may have been ill or that you may have had absence for exceptional circumstances, but please be aware that if attendance levels continue to operate below 95% we will begin our attendance procedures:

- **Stage 1:** If attendance continues to fall below 90/95% then you will be invited to meet with the Attendance Officer to see if there are any underlying circumstances which we can help with. If after further monitoring, attendance drops below 86% then;
- **Stage 2:** formal letter to parents and referral to Local Authority ACE Team. Please be aware this letter is just to inform you that your child's attendance is xx%. It **does not** form part of formal stage one at this point, however attendance will be monitored.

Thank you for your co-operation in this matter,

Yours sincerely

**Parents of xxx,**

As part of St Giles Junior School regular register checks carried out in partnership with Attendance Compliance Enforcement Service, we have noticed that your child's attendance has dropped to below 85%. **We understand that there are genuine reasons for this; however it is our duty to keep you informed.**

xxx's attendance is currently xx%, which is causing concern; as your child's career attendance at St Giles is also well below the school average.

A further concern is the number of times your child has completed a full week of learning. A child's learning's based on a progression of organised steps and you child has only managed

xx% of weeks without interruption since being at St Giles.

As I am sure you are aware, it is important that they maintains regular school attendance, as any absence may interrupt academic progress and may have an effect on maintaining friendships. You should also be aware that regular attendance is a legal requirement. If the attendance does not improve we could refer to Attendance Compliance Enforcement Service, which could then lead to legal action if attendance continues to deteriorate.

xxx's attendance will continue to be monitored for the next 6 weeks and a target has been set, I look forward to seeing a significant improvement, otherwise we will begin our attendance procedures:

- **Stage 1:** If attendance continues to fall then you will be invited to meet with the Attendance Officer to see if there are any underlying circumstances.
- **Stage 2:** formal letter to parents and referral to Local Authority ACE Team.

If you have any queries or would like to talk to anyone about attendance please do not hesitate to contact the school on 024 76 313375

Yours sincerely

### App 3

Dear Parent /Carer of

Further to my previous letter it has come to my attention that attendance has not improved.

Currently your child's attendance is **xxxx**. At the last Attendance check it was **xxxx**  
It is usual that if attendance has not improved or continues below 86% then a referral will be made to Warwickshire Attendance, Compliance and Enforcement Service (ACE) Service.

This is the first stage in our attendance procedure and I would like to ask you to make an appointment to discuss this further with me to try and avoid a referral to Warwickshire Ace Service.

We will work with you to try and resolve this matter and improve the situation but we do need your help.

Yours sincerely

App 4a

Dear Parent / Carer,

Further to my letter dated xx/xx/xx it has come to my attention that xxxxxxxxxx's attendance has not improved.

We are working hard as a school to promote good attendance and the average attendance for the county is 93%. Currently your child's attendance is xxxx%. It is usual that if attendance has not improved or continues below 86% for 3 weeks then a referral will be made to Attendance, Compliance and Enforcement Service (ACE)

This is the final stage in our attendance procedure and the school will be making a referral to Warwickshire Education Social Work Service who will be contacting you in due course.

Yours sincerely,

**Attendance Panel Meeting Form**

Date of Meeting: \_\_\_\_\_

In Attendance: \_\_\_\_\_  
\_\_\_\_\_

Name of Child / Children: \_\_\_\_\_

Year Group: \_\_\_\_\_

Does the child have a sibling at Exhall Cedars? **Yes / No** (please circle)

Does the child have a sibling at a local Secondary School? **Yes / No** (please circle)

If **yes** – please follow flow chart

Factors that will be taken into account when considering a request for discretionary leave of absence include:

- the amount of time requested
- age of the pupil
- the pupil's general absence/attendance record
- proximity to SATs and school tests
- length of the proposed leave
- pupil's ability to catch up the work
- pupil's educational needs
- general welfare of the pupil
- circumstances of the request
- purpose of the leave
- frequency of the activity
- when the request was made

St. Giles Junior School Attendance Policy states: “The following are examples of the criteria for leave of absence, which may be considered as ‘exceptional’:

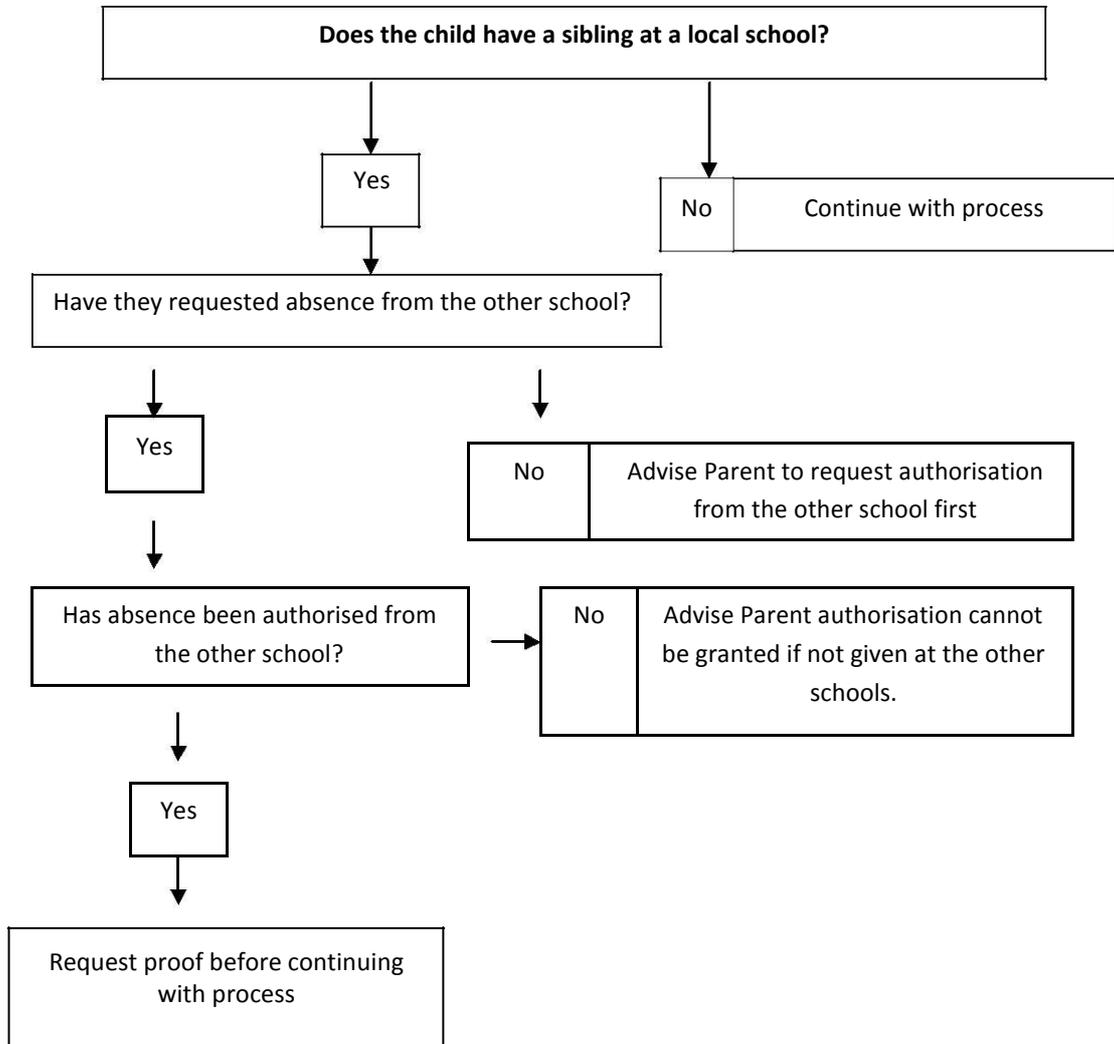
- Service Personnel returning from active deployment.
- Where inflexibility of the parents’ leave or working arrangement is part of the organisational or company policy. This would need to be evidenced by the production or confirmation from the organisation / company.
- Where leave is recommended as part of a parents’ or child’s rehabilitation from medical or emotional problems. Evidence must be provided.
- When a family needs to spend time together to support each other during or after a crisis.
- Religious Festival.

Please record any additional information mentioned and considered during the meeting and in reaching a decision:

**Request Authorised / Unauthorised** (please delete as appropriate)

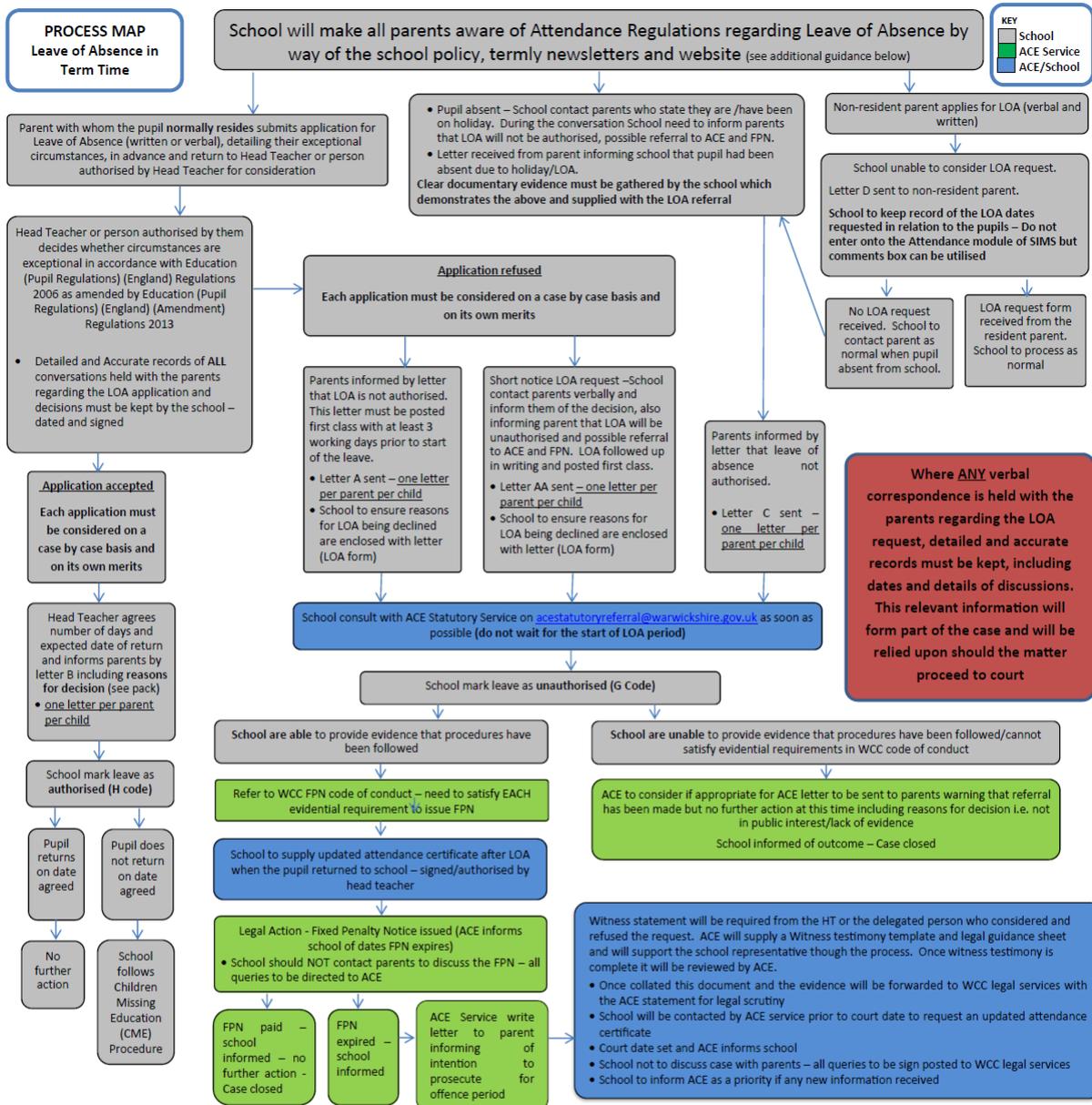
Please attach any supporting documentation

### Process to follow if a child has a Sibling at Exhall Cedars Infant, Nursery & Pre- School or a Local Secondary School



# App 6A

## Warwickshire County Council Communities Group



**School must be able to evidence the following prior to FPN being issued (as per WCC's code of conduct for penalty notices). It is recommended that the WCC guidance is used in relation to LOA with no changes**

- School Attendance Policy (if available) outlining LOA
- Information about school's communication with parents regarding leave of absence within the current academic year (e.g. newsletter- it is advised schools regularly reference to LOA in newsletters)
- Leave of Absence Request Form (if completed) or detailed notes of discussions with parents relating to the request (these must include dates and times of discussions)
- Copy of letter from Head Teacher advising parent request for leave of absence has been refused (this also includes a copy of LOA request outlining the reason for the decision)
- Attendance Certificate for the relevant period signed by the head teacher

**Documentation to be sent to ACE**

- Referral form (ensure front cover and sections 1, 2 and 5 are completed in full)
- Copy of Newsletter/communication to parents within the relevant academic year and/or copy of Attendance policy (if available) outlining LOA.
- Signed and dated copy of letter from Head teacher including copy of the reasons for refusal (LOA Applications)
- Full legal registration certificate including name and address of parent (this academic year and previous academic year)
- Records of conversations between school and parents. (Signed and dated)
- Any additional information (Signed and dated)

**Important points to note**

It is vital that parents are informed in verbal communications that the application for LOA has been refused stating the reasons for this and that this may result in a referral to the ACE service which may lead to a Fixed Penalty Notice being issued. (minutes to these discussions must be dated and signed)

- It is the Head Teachers/designated person's decision to not authorise/authorise absences and to forward a LOA referral to the local authority for consideration of a Fixed Penalty Notice. It is advised that schools should not inform parents that it is the Local Authorities decision in relation to LOA and not the schools. It is the Local Authority's decision if the schools evidence is sufficient to issue an FPN in line with the code of conduct
- Head teachers/Designated person must be prepared to complete a witness testimony in the event of a FPN not being paid. This will involve support by the ACE and WCC legal services, it is the responsibility of the head teacher to ensure that these are provided to a satisfactory standard with supporting evidence within tight timescales which may include schools holidays
- Once the legal process has been initiated (ie FPN issued) the school must direct any queries from parents to the ACE service – ensure you record and then inform ACE of these discussions

Dear

*Forename, surname, year group*

### **Application for Leave of Absence during Term Time in Exceptional Circumstances**

#### **Authorisation Granted**

I have received your completed application/verbal request for Leave of Absence outlining the exceptional circumstances to support your application.

I have carefully considered your request and reviewed the exceptional circumstances you have given.

As you are aware Government regulations prohibit schools from authorising absence in term time unless there are exceptional circumstances. **In this instance only** the school **is** prepared to accept the reasons put forward and authorise the absence (please see attached Leave of Absence form for details). Any extension to this request without authorisation or further absence will be unauthorised and as parent(s) you may be liable to further action including the issue of a Fixed Penalty Notice or prosecution through the court.

You should be aware that failure to secure \*\*\*\*\*'s attendance at school is a criminal offence under Section 444(1) and 444 (1A) of the Education Act 1996. In the event that \*\*\*\*\*'s attendance at school fails to improve or improve sufficiently then this could result in a Fixed Penalty Notice (£60 fine if paid within 21 days of receipt of notice increasing to £120 if paid after 21 days but within 28 days) being issued to you or criminal prosecution proceedings being issued against you. If criminal proceedings are issued and you are found guilty, the court could sentence you to a fine of up to £1,000 or £2,500 and or sentence you to serve a community sentence period or sentence you to serve a custodial period of up to 3 months.

This decision is not made lightly. Our school is dedicated to the education of all our pupils and believes regular attendance through the year is essential to every child's success and fulfilment.

Please contact the school to discuss measures to minimise the impact of leave on your child's academic progress.

If you have any concerns about the content of this reply please do not hesitate to contact me.

Yours sincerely

Dear

*Forename, surname, year group*

### **Application for Leave of Absence during Term Time in Exceptional Circumstances**

#### **Authorisation Not Granted**

I have received your completed application/verbal request for Leave of Absence outlining the exceptional circumstances to support your application.

I have carefully considered your request and reviewed the exceptional circumstances you have given.

As you are aware Government regulations prohibit schools from authorising absence in term time unless there are exceptional circumstances. **In this instance** the school **will not authorise** this Leave of Absence request and absence taken during this period will be **unauthorised** (please see attached Leave of Absence form for details). As parent(s) you have a legal duty to ensure that your child receives a full-time education (section 7 Education Act 1996). You may be liable to further action including the issue of a Fixed Penalty Notice or prosecution through the court if your child is absent during the period requested in your application.

Evidence shows that pupil absence has a negative impact on pupil performance and social development. We urge you to consider this matter very carefully before making a decision to go ahead.

You should be aware that failure to secure \*\*\*\*\*'s attendance at school is a criminal offence under Section 444(1) and 444 (1A) of the Education Act 1996. In the event that \*\*\*\*\*'s attendance at school fails to improve or improve sufficiently then this could result in a Fixed Penalty Notice (£60 fine if paid within 21 days of receipt of notice increasing to £120 if paid after 21 days but within 28 days) being issued to you or criminal prosecution proceedings being issued against you. If criminal proceedings are issued and you are found guilty, the court could sentence you to a fine of up to £1,000 or £2,500 and or sentence you to serve a community sentence period or sentence you to serve a custodial period of up to 3 months.

If you have any concerns about the content of this reply please do not hesitate to contact me.

Yours sincerely

St. Giles Junior School – September 2014 – Attendance Policy