

# SS PETER AND PAUL CATHOLIC PRIMARY SCHOOL (Little Learners and Kids' Club)

## Attendance Policy



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Date for Review: February 2019

### Mission Statement

With Jesus as our guide, we learn, pray and live together, in a safe and happy way.

## Attendance Policy

### **Policy Statement**

We believe to ensure our children derive maximum benefit from the educational opportunities available to them, it is imperative the children attend school regularly and punctually. The attendance policy identifies the aims of the policy and strategies to promote improved attendance and punctuality.

### **Aims**

- To maintain and improve upon previous pupil attendance.
- To outline strategies put in place to promote sustained and improved pupil attendance and punctuality.
- To provide guidelines on administering the attendance register.
- To raise the possible impact of poor attendance and punctuality on pupil attainment with parents, children, staff and governors, leading to improved attendance for all our children.

### **Guidelines**

Parents have a responsibility to ensure children of statutory school age attend school **regularly and punctually**. **The LA has a duty to enforce attendance through the use of Penalty notices** and/or through the courts where necessary by the prosecution of parents where a fine of up to £2500 and/or three months imprisonment can be imposed. The LA can also seek a 'School Attendance Order' or 'Education Supervision Order'. Such action will be taken where appropriate.

School staff, both teaching and non-teaching, are in the front line of the drive to improve attendance. Supported by action from the LA, teachers and others who work in schools are in daily contact with the children and can forge effective links with parents at a school level and promote good attendance as essential in the child's schooling.

Schools are required to inform the LA of unexplained absences longer than 2 weeks and of any children in irregular attendance.

### **Circumstances where a penalty notice may be issued:**

- A penalty notice can only be issued in cases of unauthorised absence.
- Use of Penalty notice will be restricted to one notice per parent of a pupil per academic year.
- In cases where there is more than one poorly attending pupil in one family. Penalty notices may be issued for more than one child.
- There will be no restrictions on the number of times a parent may receive a formal warning of a possible Penalty notice.

### **Penalty notices may be considered appropriate if one of the following criteria are met:**

- There is unauthorised persistent absence. "Persistent" means at least 20 sessions (10 days) of unauthorised absence over a period of twelve school weeks, excluding holidays. These absences do not need to be consecutive.
- Unauthorised absences of at least 10 sessions (5 school days) due to a leave of absence in term time not agreed by the head teacher of children.
- Persistent late arrival at school, i.e. after the register has closed. "Persistent" means at least 10 sessions of unauthorised late arrival over a period of 12 school weeks, excluding holidays. These late episodes do not need to be consecutive.
- The presence of an excluded child in a public place at any time during school hours in that child's first five days of exclusion.
- **There will be no limit on the times a Penalty Notice for unauthorised leave of absence can be used in an academic year.**

All schools must keep both an **Admission Register** and an **Attendance Register**. These are legal documents and must be administered in accordance with the procedures agreed in school. All children should be on both registers if they are in attendance at the school and children may only be removed from the Admission Register in accordance with the requirements of the regulations.

All registers must be kept securely for three years and made available to the authorised officer of the LA when required.

### **Attendance Register**

School uses the Sims Attendance Module and Staffordshire County Council Register of Attendance. The Attendance Register is a legal document and must be marked twice daily.

The registration period for the morning session is 8.45am - 9.05am. Closure of registers is 9.15am. The registration period for the afternoon session is 1.15pm to 1.25pm.

### **Communicating Absences**

Parents are required to inform the school by a telephone call or written correspondence of the reason for their child's absence. Telephone calls taken by the office staff are reported to the class teacher.

If the distinction between authorised and unauthorised absence cannot be made at the time, it must be made 'as soon as practicable after the reason for the absence if established'. If a satisfactory explanation is not received, this is recorded as an unauthorised absence, marked as an (O), which denotes a proper explanation has not been accounted for by parents.

### **Following up Absence not reported**

The school operates a first day response initiative. In the event of a child being absent and no explanation received by a telephone call or written correspondence, the office will contact parents by text/telephone to ascertain the reason for the child's absence. The absence is then recorded on the sick absence register in the school office (if appropriate) and the correct absence code is entered onto SIMS.

### **Leave of Absence**

On 1 January 2018, the new Education (Pupil Registration) (England) (Amendment) Regulations 2013 came into force, changing the rules about term-time holidays.

The amendments specify that head teachers may not grant any leave of absence during term time unless they consider there to be "exceptional circumstances" for doing so. If leave is granted, head teachers should determine the number of days a child can be away from school.

Provided that the request for Leave of Absence is made in advance in writing and the exceptional circumstances are clearly stated, the request for Leave of Absence will be considered. Leave of Absence forms are available from the school website and reception.

### **Lateness**

Pupils should attend 'full-time'. However the meaning of this is a grey area. The school allows a 'reasonable' period for arrival. This is between 8.55am - 9.15am which is the closure of the registration period.

Doors for entrance into Key Stage 1 and Key Stage 2 are open from 8.45am to 8.55am which is the period within which children come to school and are in the supervision of the class teacher where they engage in Early Bird Activities to set the day off to a good start. At 8.55am the entrance doors are closed for security purposes and parents must ensure they bring their child to the school office for entrance in to school. The late arrival will be noted in the Late Board by the office staff and recorded as 'L' in the register. Persistent late arrivals will be followed up by the Headteacher.

Late within this time is an attendance; avoidable lateness outside this period constitutes unauthorised absence and can be the basis of an offence by the parent. Children who arrive very late without good reason should not be credited with an attendance.

A child arriving between 9.05am and 9.15am must be marked as (L).

A child arriving after the registration period closes (after 9.15am) for no good reason is marked as (U). This mark is for children who will not be credited with an attendance even though they attended for part of the session. This counts as an unauthorised absence.

A (/) is a present mark. Registers must be sent to the office by 9.15am. Teachers should inform the Headteacher of concerns regarding attendance issues, either to do with lateness, irregular attendance or unauthorised absences.

### **Rewarding Attendance & Punctuality**

Developing the 'right attitude' and recognising children's achievements are two very important factors in motivating children. To ensure this we have the following rewards for Attendance & Punctuality.

Parents are sent a termly report identifying which colour group fits their child's attendance. (See attached)

### **Roll of Honour**

Children who have a 100% attendance and/or punctuality will appear in the Roll of Honour on the school newsletter. Each of these children will also receive a certificate, and other rewards as their attendance is maintained at 100% through the three school terms.

## **Reporting/Communicating Attendance**

Parents receive a termly attendance report accompanied by a colour coded grouping list (Appendix 1).

Where there are any concerns regarding attendance, parents are asked to meet with the Headteacher and if appropriate referred to the Education Welfare Officer to meet at an Attendance Clinic.

Attendance is reported to Governors through the Headteacher's termly report presented at Full Governing Body meetings.

## **The Role of the Education Welfare Officer**

The Education Welfare Officer (EWO) is independent of the school. The Education Welfare Officer:

- Is an officer of the LA.
- Fulfils legal duties on behalf of the LA such as register checks.
- Supports the school, parents and children in attendance and welfare matters.
- Leads Attendance Clinics for families with consistently low attendance.

The Headteacher will make referrals to the EWO through a referral to the LST (Local Support Team).



## Ss Peter and Paul Catholic Primary School

Mission Statement: 'With Jesus as our guide, we learn pray and live together in a safe and happy way.'

### Attendance Colour Codes

**97% - 100%**  
**WELL DONE! THIS IS EXCELLENT**  
If you are in the green group you have been absent for less than two weeks in the whole year or you may have attended school every day.

**94% - 96.9%**  
**BE CAREFUL**  
If you are in the yellow group you could be missing up to 2 weeks of learning in the whole year.

**90.01% - 93.9%**  
**IMPROVEMENT NEEDED!**  
If you are in the grey group you could be missing at least 4 weeks of learning in the school year.

**Less than 90%**  
**PERSISTENT ABSENCE PUPIL**  
You are now a Persistent Absence Pupil and are missing more than 6 weeks of learning in the school year.

What does my attendance percentage mean?

Which attendance group am I in?

What attendance group am I aiming to be in?

## Appendix 2 DFE guidance

On 1 September 2013, the Education (Pupil Registration) (England) (Amendment) Regulations 2013 came into force, changing the rules about term-time holidays. The amendments specify that head teachers may not grant any leave of absence during term time unless they consider there to be "exceptional circumstances" for doing so. If leave is granted, head teachers should determine the number of days a child can be away from school.

In brief this means that:

- Parents **CANNOT** demand a leave of absence as an automatic right.
- Parental requests **MUST** be in writing.
- Schools **CANNOT** apply blanket policies to approve/reject all applications.
- Extended periods of absence will be granted **ONLY** in exceptional circumstances.
- The power to authorise/unauthorise a leave of absence belongs to the Headteacher.

### Procedure

Parent/carer should complete a Leave of Absence Request Form and submit this to the Head teacher at least two weeks prior to the intended period of absence; school will respond to the request within one week. If school is aware of any language difficulties that may prevent a request from being completed appropriate support will be offered to the parent/carer.



# SS. PETER & PAUL CATHOLIC PRIMARY SCHOOL

*Dimbles Hill, Lichfield, Staffordshire. WS13 7NH  
Telephone (01543) 510748 Fax (01543) 334453*

Headteacher: Mrs C Faulkner

E-mail: [office@st-peter-st-paul.staffs.sch.uk](mailto:office@st-peter-st-paul.staffs.sch.uk)

[admin@st-peter-st-paul.staffs.sch.uk](mailto:admin@st-peter-st-paul.staffs.sch.uk)

[www.sspeterandpaul.org.uk](http://www.sspeterandpaul.org.uk)

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Appendix 3      Leave of absence request form.

Date: .....

### Request for leave during term time

Dear Mrs Faulkner

I request consideration of a grant of leave of absence from school during term time for:

My child(ren): .....

For the period of (from date) .....

(to date) .....

The **exceptional** circumstances and reason for this request are: -

.....  
.....

(Signature of 1<sup>st</sup> parent/carer(s) ..... Print Name .....

(Signature of 2<sup>nd</sup> parent/carer(s) ..... Print Name.....

Appendix 4      Staffordshire county council guidelines

STAFFORDSHIRE COUNTY COUNCIL  
Families First Targeted Services  
STAFFORDSHIRE LOCAL AUTHORITY  
Code of Conduct for issuing Penalty Notices

Rationale:

Regular and punctual attendance at school is both a legal requirement and essential for pupils to maximise their educational opportunities. In recognition of this, the law makes it an offence for a parent or carer to fail to secure the regular attendance of their child at a school at which the child is a registered pupil, without good reason or the agreement of the school.

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

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

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

Legal Framework:

Section 444A of the Education Act 1996 (as inserted by section 23 of the Anti-Behaviour Act 2003) empowers designated Local Authority (LA) officers, Headteachers (as well as deputy and assistant Headteacher authorised by them)

and the Police to issue Penalty Notices in cases of unauthorised absence from school.

The Education Penalty Notices (England) Regulations 2007  
The Education and Inspections Act 2006.

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

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

As a result, the Local Authority has responsibility for developing a local code of conduct that will govern how all of the partners named in the Anti-social Behaviour Act 2003, will issue Penalty Notices.

Circumstances where a Penalty Notice may be issued:

- A Penalty Notice can only be issued in cases of unauthorised absence.
- Use of a Penalty Notice or formal warning of a Penalty Notice for unauthorised absence will be restricted to one notice/warning per parent of a pupil per academic year<sup>1</sup>.
- There will be no limit on the times a Penalty Notice for unauthorised leave of absence can be used in an academic year.
- In cases where there is more than one pupil in a family with unauthorised absences, Penalty Notices may be issued for more than one child.
- The presence of an excluded child in a public place at any time during school hours in the first five days of exclusion.
- Penalty Notices may be considered appropriate if one of following criteria is met:
  - There are at least 20 sessions (10 school days) lost due to unauthorised absence during the current and previous term. These absences do not need to be consecutive.
  - For unauthorised leave of absence, there must be a minimum of 2 sessions of unauthorised leave of absence (due to unauthorised leave in term or time been absent for longer than was agreed) within the total of 10 sessions of

unauthorised absence required prior to issuing the penalty notice. These unauthorised absences do not need to be consecutive and should be calculated from the previous rolling calendar year.

- Continued poor attendance in the same academic year can be addressed by other statutory actions available to the Local Authority under the Education Act 1996.
- Once an unauthorised absence has been used as evidence in Court/Penalty Notice it cannot then be used again in another prosecution
- Persistent late arrival at school, i.e. after the register has closed, in the current and previous term. "Persistent" means at least 20 sessions of late arrival. These late episodes do not need to be consecutive.
- The presence of an excluded child in a public place at any time during school hours in that child's first five days of exclusion. An "excluded child" is one who has been excluded from school for a given period under the Education and Inspection Act 2006.
- A Penalty Notice will not be issued in respect of children in care of the LA with whom other interventions will be used.
- The Local Authority will only issue Penalty Notices requested by a school in response to an unapproved leave of absence (Inc. holiday related) resulting in unauthorised absence where the school has provided the necessary paperwork.
- This paperwork should comprise:
  - A copy of the newsletter or letter sent to all parents during the current academic year which clearly states that parents may receive a Penalty Notice for an unauthorised holiday in term time. (The LA does not need a hard copy of this newsletter/letter each time a school applies for an unauthorised holiday Penalty Notice, just on the first occasion each academic year.)
  - A copy of the leave of absence (Holiday) Request Form submitted by parent, and a copy of the response sent to the parent by school. In the event the leave of absence (holiday) request is being denied the school's response should state the reason why the request is unauthorised and should again advise parent that they may receive a Penalty Notice if they take their child out of school and that the school has referred the matter to the Local Support Team (representing the Local Authority).
- In cases where the unauthorised leave of absence occurs without prior request from the parents, or is due to unauthorised absence beyond what was agreed, the school should include all correspondence sent to the parents to explore the unauthorised absence.

- Relevant pupil Attendance of Registration Certificate signed by the Headteacher/Principal - or their nominated deputy - confirming that non-attendance during the period was unauthorised.
- Completed school unauthorised absence checklist and signed penalty notice request form. (Appendix A).

## Excluded Pupils

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

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

A Penalty Notice may only be issued by:

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

Procedure for issuing Penalty Notices:

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

Penalty Notices will only be issued by post and never as an instant action, e.g. during a Truancy Sweep. This will enable officers to ensure that all evidential requirements are in place, duplication of issue is avoided and limit the health and safety risks associated with delivering such Notices by hand.

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

- The circumstances of the case meet the criteria specified in this Code of Conduct.
- The pupil is registered at a Staffordshire School;
- All necessary evidence is provided to the LST to establish an offence under Section 444(1) or 444(1A) of the Education Act 1996 has been committed.
- Issuing a Penalty Notice would not conflict with another intervention strategy already in place or another enforcement sanction already being processed; and
- There is an assessment and plan which demonstrates that the use of a Penalty Notice is now the appropriate action to improve the child's school attendance. (Not required in the case of unauthorised leave of absence).
- Targeted Services will respond to all requests within 10 school days of receipt or if part of on-going casework, and where satisfied that all of the relevant criteria are met, will:
  - Issue an initial warning to the parent (s) of the possibility of Penalty Notice being issued;
  - Set a period of 20 school days within which the pupil must have no unauthorised absence and give the parent (s) an opportunity to respond; this information will be included in the formal written warning letter. (Appendix B).
  - After due consideration of the facts of the case, only issue a Penalty Notice through the post at the end of the 20 day period, if the required level of improved school attendance has not been achieved.

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

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

## Excluded Pupils

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

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

## Truancy Sweep

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

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

### Procedure for withdrawing Penalty Notices:

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

- The Penalty Notice was issued to the wrong person;
- The use of the Penalty Notice did not conform to this Code of Conduct.
- The Penalty Notice was delivered to the wrong address;
- The evidence demonstrates that the Penalty Notice should not have been issued, e.g. medical evidence;
- The exceptional circumstances of the case warrant its withdrawal.
- Payment of Penalty Notices:
  - Arrangements for payment will be detailed on the Penalty Notice; (Appendix C).
  - Payment of a Penalty Notice discharges the parent's or carer's liability for the period in question and they cannot subsequently be prosecuted under other enforcement powers for the period covered by the Penalty Notice;
  - Payment of a Penalty Notice within 21 days is £60 and payment after this time but within 28 days is £120; and

- The County Council retains any revenue from Penalty Notices to cover enforcement costs (collection or prosecuting in the event of non-payment).
- Payments will not be accepted in part or by instalments.

#### Non-payment of Penalty Notices:

Non-payment of a Penalty Notice will result in the withdrawal of the Penalty Notice and will trigger the fast-track prosecution process under the provisions of section 444(1), of the Education Act 1996.

#### Policy and Publicity

- Identifying information about Penalty Notices issued to particular parents or specific children should not be made public;
- Issuing of Penalty Notices as a sanction is included in the Authority's Attendance Policy;
- All school Attendance Policies should include information on the issuing of Penalty Notices and this will be brought to the attention of all parents;
- The LA will include information on the use of Penalty Notices and other attendance enforcement sanctions in promotional or public information material.

#### Reporting & Review:

##### Targeted Services will:

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

#### Representation

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

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

Appendix 5 penalty letter

Targeted Services  
(District Office Address inc LST)  
(District Office Address)  
(District Office Address)  
(Post Code)  
Telephone: (Tel no)  
Facsimile: (Fax no)  
E-mail: (EWWname)@staffordshire.gov.uk  
Website: www.staffordshire.gov.uk

\*Restricted\*

Please ask for: (EWW name)  
Name and Address

My Ref: /PN2

Dear (insert parents/guardians full name)

Penalty Notice - S.444 Education Act 1996 (inserted by S23 of the Anti Social Behaviour Act 2003)

It has come to my attention that your son/daughter, (insert pupil's name), has recently been in irregular attendance at insert (Name of school).

Section 444(1) of the Education Act, 1996 says:

"If a child of compulsory school age, who is a registered pupil at a school, fails to attend regularly at the school, his(her) parent/guardian is guilty of an offence".  
If the reasons given for your child's irregular school attendance are not satisfactory, then the Education Committee may issue you with a Penalty Notice for failure to comply with the law.

On receipt of this letter you are being given the opportunity to take such steps as to ensure your child's attendance at school. The Staffordshire County Council

protocol allows 20 school days from (Insert Date to Insert Date) in which time (insert pupil's Name) must have no unauthorised absence. Failure will result in a Penalty Notice being issued to you.

In pointing out the Law to you in this way, it merely serves to reinforce your obligations to your child; I hope most sincerely that you will take such steps as would render such a course of action unnecessary.

Yours sincerely

Printed Name and designation  
On behalf of  
Strategic Lead for Targeted Services