

Cragside Church of England Primary School



Attendance Policy

Revised: October 2017

Date of next Review: October 2018 (or earlier if change is needed)

Related Policies:

- Safeguarding
- Child Protection
- Health and Safety Policy

(This document is available in an alternative format and in an alternative language on request)

1.Introduction

We expect all children on roll to attend every day, when the school is in session, as long as they are fit and healthy enough to do so. We do all we can to encourage the children to attend, and to put in place appropriate procedures. We believe that the most important factors in promoting good attendance are the development of positive attitudes towards school; a love of learning and a thirst for knowledge. At Cragside C of E Primary School, we are committed to making our school a happy and rewarding place where all children are provided with the very best opportunities to enable them to shine. We reward those children whose attendance is very good. We will also make the best provision we can for those children who, for whatever reason, are prevented from coming to school.

Regular attendance at school is essential to ensure uninterrupted progress and to enable children to achieve their full potential. The attendance pattern for all children is monitored weekly with the school seeking to work actively with parents/carers to ensure a regular pattern is maintained.

Good attendance at school can positively affect each child's:-

- Progress and Attainment in school
- Relationships with other children and their ability to form lasting friendships
- Confidence to attempt new work and working alongside others

School Attendance and the Law

Section 7 of the 1996 Education Act states that parents/carers must ensure that children of compulsory school age receive efficient full-time education suitable to their age, ability and aptitude to any special educational needs they may have, either by regular attendance at school ,alternative educational provision or otherwise. If a child is registered at a school, parents/carers have primary responsibility for ensuring that their child attends regularly.

Cragside C of E Primary School – Our Responsibilities

The register is a legal document and may be used as evidence in court. Data inaccuracies hinder the ability of the LA to progress attendance cases to prosecution therefore we have clear procedures for completing the register. Teachers must complete it accurately. The attendance register must indicate if an absence of a pupil is authorised or unauthorised. Absence can only be authorised by a Head-teacher or another member of staff, who is acting on the Head-teacher's authority.

To monitor attendance effectively, at Cragside C of E Primary School we:

- use the same registration procedures throughout your school
- use different codes for authorised and unauthorised absence
- keep track of pupils during the day
- provide guidelines for classteachers on keeping registers and improving attendance
- provide clear and accurate information to the EWO.

At Cragside C of E Primary School we always follow up any absences by:

- ascertaining the reason for absence;
- ensuring the proper safeguarding action is taken if necessary;
- identifying whether the absence is approved or not; and
- identifying the correct code to use before entering it on to the school's management information system which is used to download data to the School Census.
- if there is any doubt about the whereabouts of a child, the class teacher should take immediate action by notifying the school office. The school will then be in contact straight away with the parent or guardian, in order to check on the safety of the child.
- Children's Services will be informed if a child is absent and subject to a Child Protection Plan.

Requests for Leave of Absence

We believe that children need to be in school for all sessions, so that they can make the most progress possible. However, we do understand that there are circumstances where a parent may legitimately request leave of absence for a child to attend, for example, a special event. We expect parents to contact the school at least two weeks in advance.

Amendments to the 2006 pupil regulations remove references to family holiday, extended leave and the statutory threshold of ten school days. (Authorised at the discretion of the Head Teacher)

The amendments make clear that:

'Headteachers may not grant any leave of absence during term time unless there are exceptional circumstances. Headteachers should determine the number of school days a child can be away from school if the leave is granted'

Leave of absence during term time is entirely at the discretion of the Head Teacher and is not a parental right. All decisions in relation to whether leave of absence is granted (authorised) or not (unauthorised) should be applied consistently and equitably.

Application Process for Leave of Absence during Term Time

- A parent/carer requesting leave of absence during term time should make the application in writing at least two weeks in advance
- School will contact the parent/carer into school to discuss the reasons for the application and the impact the absence may have on the child's education
- The school will reply to all applications received. All replies will be signed and dated by a designated person. The letter will include parent's address.
- If leave is not granted, the reason for not authorising the request will be clearly stated, i.e. explaining why exceptional circumstances have not been met. The possible consequences of disregarding the refusal to grant absence. i.e. a request to the Local Authority to issue a Penalty notice will be clearly stated.
- If leave is granted, the length of authorised absence must be clearly stated including the date the child is expected to return to school including possible consequences if the child fails to return on that date.
- All replies should be signed and dated by a designated person.
- If a parent /carer remove their child from school without requesting leave of absence or without authorisation from the Head Teacher **AND** the Head Teacher wishes the Local Authority to issue a Penalty Notice; the parent will be informed in writing that a request to the Local authority to issue a Penalty Notice is being made.

N.B. A minimum absence of ten sessions (five school days) which are unauthorised must be recorded against the pupils name within a 6-12 week period. This guidance is in accordance with the Local Code of Conduct for Penalty Notice.

What we will do if parents do not request Leave of Absence

- If the School believes that a child has taken Leave of Absence but the parent has not completed an absence request form, calls home and a visit should be made to the home address during the absence period.
- On the child's return to School may write to the parents giving them the opportunity to explain the situation.

Repeated Unauthorised Absences or Poor Attendance

If a child's rate of attendance is at risk of falling below 90% over a period of time the school will communicate to the parents expressing concern and offering to discuss ways to improve the situation. The Headteacher may refuse to authorise further absences without confirmation of illness from Health services. If insufficient improvement is made the school will contact the parent or guardian of any child who has an unauthorised absence. If a child has a repeated number of unauthorised absences, generally poor attendance or a predictable pattern of absence, the parents or guardians will be asked to visit the school and discuss the problem. If the situation does not improve, the school will then contact the LA support services, who will visit the home and seek to ensure that the parents or guardians understand the seriousness of the situation.

The Governors, supported by the LA, reserve the right to consider taking legal action against any parents or guardians who repeatedly fail to accept their responsibility for sending their children to school on a regular basis.

It is the Headteachers decision to refer to the Local Authority for a Penalty Notice to be issued. A Penalty Notice Request Form will need to be submitted with all supporting documentation. If a parent does not pay the Fine court proceedings will be implemented based solely on the information provided by the Head Teacher.

If it is found that fair process has not been followed the Local Authority will not issue the Penalty Notice and the school will be informed.

A high level of input is provided by schools to families where there are attendance concerns.

Where a parent is not engaging, contact must have been attempted in different ways at various times of the day.

These include:

- Telephone contact, date and time of contact should be recorded along with any discussion and initialled.
- Letters to the parent/carer individually advising on the level of non -attendance .All correspondence should be signed and dated and should state the parents full name and title and the child's. All documents should be stored in the students file as evidence of work undertaken.
- Meetings with pupil and parent/carer at home or in school to gather information to address the issues i.e. The parents/child's personal perception of any difficulties, e.g. curriculum, friendship problems or problems with a member of staff.

We always:

- Record discussion and agreed action points with the parent/carer and keep on the child's file.
- Review the actions and outcomes and respond to any issues that remain outstanding.

Where appropriate:

- Draw up an Attendance Contract or Action Plan between school/parents/carers/pupil. The contract /plan should set out the expectations placed on the school, family and pupil. It should include realistic expectations with regards to improvement and the family/pupil's individual circumstances should be addressed within the contract.
- Monitor and review the contract.
- Where there are underlying concerns, the school should seek the parents' consent to invoke an Early Help Assessment (EHA). The Education Welfare Officer will support and advise school on attendance matters.

Referrals to Education Welfare.

A referral to Education Welfare (EW) can be made if a pupil's attendance falls to 90%, the absences are unauthorised, *and*, we have previously advised the parent in writing that the referral is being made.

School can refer to EW if pre-referral work with the family has been undertaken and recorded and attendance meets EW referral criteria (see above) a referral form must be completed together with all supporting evidence.

Please Note: Schools are required to make referral to EW if a pupil has had 20 or more *unauthorised* absences sessions during any 100 half days.

Before referring the case to Education Welfare we will ensure that where there is no improvement in the pupil's attendance and there are unauthorised absences we:

- Formally write to parents/carers to advise them of their intention to refer the case to Education Welfare
- All actions and decisions are appropriately and clearly evidenced.
- Additional information is considered.
- Any initial biases or misjudgements are challenged to ensure parent's concerns are dealt with appropriately.

Legal Intervention/Action.

Referrals that are progressed for consideration for legal action (Local Authority's Statutory Duty)

If a parent/carer fails to meet their legal responsibility in ensuring their child receives a suitable education either by regular attendance at school, alternative provision or otherwise legal action may be considered. These include Penalty Notices, Education Supervision Orders or Prosecution.

With certain exceptions a minimum absence of ten sessions (five school days) *which are unauthorised* must be recorded against the pupils name within a 6-12 week period.

Unauthorised absence is where the school has either not received a reason for absence, or the reason given is unacceptable. It is the Head teacher who determines whether or not the absence is authorised.

Exceptions to the above may include Leave of absence in term-time, for which no permission has been sought from the school, or permission sought but refused, or child has not returned by the agreed date and no acceptable reason for delay has been received. (NB The Education (Pupil Registration) (England) (Amendment) Regulations 2013 (Statutory Instrument No 756) amends regulation 7 of The Education (Pupil Registration) (England) Regulations 2006 to the effect that Head teachers are prohibited from granting leave of absence except where an application has been made in advance and they consider there are exceptional circumstances relating to the application.

Penalty Notices

- Penalty Notices will be used in accordance with Northumberland Council's Penalty Notice Protocol.
- A Penalty Notice gives the parent the opportunity to discharge themselves of their legal responsibility
- Failure to pay the Penalty Notice may result in a prosecution under Section 444 of the Education Act 1996.

Prosecutions may be undertaken where:

- The parent has ignored previous advice.
- The parent demonstrates a blatant disregard for the law and has acted to the detriment of another.
- Any other instance where circumstances warrant it.

The final decision to prosecute will be made by the Service Team Manager /Principle Education Welfare Officer in conjunction with the EWO and Legal Services.

Following a decision to prosecute, the maximum time for a case to be presented to the Magistrates Court will usually be six week to eight weeks.

- Legal services/Education Welfare will formally lay information of the offence before the Courts Legal Advisor to the Magistrates', to secure the summons and will serve the court papers on the defendant.

Where a case is contested (not guilty plea entered) school *may* be called to give evidence in the Magistrates Court.

Prosecution

To ensure uniformity, consistency, fairness and objectivity in relation to legal enforcement, all cases will be treated on their merits and progressed appropriately. The CPS Code for Crown Prosecutions, states that prosecutors must consider:

- Sufficiency of evidence i.e. reasonable prospect of conviction, and ,
- The public interest e.g. staleness of offence, health of the offender.

The parent/carer will need to demonstrate that they meet at least one of the statutory defences within S444 Education Act:

- Absence with leave .Leave in relation to school means leave granted by any person authorised to do so by the Governing Body or proprietor of the school (authorised absence).
- The child was prevented from attending school by reason of illness or any other unavoidable cause. The illness **must** relate to the child and not the parent or carer (*Jenkins v Howell* (1949)).
- The child did not attend on a day set aside for religious observance. (The relevant religion is that of the parent.) Religious observance relates to recognised festivals e.g. Eid or Diwali.
- The school is not within walking distance and the Local Authority have not arranged transport or boarding accommodation near the school, or registration at a closer school. (It is important to check with 'School Transport' to see if the parent has made an application for transport). Walking distance is 2 miles where the child is under eight years old, or 3 miles in other instances. The distance defence does not apply if the school at which the child is failing to attend is the parents preferred choice.
- The child is of no fixed abode (i.e. a Traveller) and the parent proves:

- the parents' occupation requires constant travel;
- the parent has registered the child at school as regularly as business permits;
- the child is six years old or over and has made at least 200 appearances in the previous 12 months.(under review)

When considering Prosecution the Local Authority will be fair, independent and objective and not let any personal views or any witness influence decisions or be affected by improper or undue pressure from any source.

Education Welfare and the Local Authority must always act in the interests of justice and not solely for the purpose of obtaining a conviction.

To prosecute in the case of Non School Attendance the Local Authority must be satisfied that there is sufficient evidence to provide a realistic prospect of conviction.

For a successful prosecution under s 444(1A), (aggravated offence) it must be proven that the parents knew the child was regularly absent from school i.e. the child was with the parents at times when he/she should have been at school, or where there is an written agreement.

Education Welfare will advise the school of the disposal handed down to the parent. The school will be responsible for monitoring the child's attendance post Court and for advising Education Welfare of any breaches referring back to into the Service.

Education Supervision Orders

Consideration needs to be made to as to the appropriateness of seeking an Education Supervision Order (ESO). If the decision is not to seek an ESO the reasons must be given.

Long-term Absence

When children have an illness that means they will be away from school for over five days, the school will do all it can to send material home, so that they can keep up with their school work. If the absence is likely to continue for an extended period, or be a repetitive absence, the school will contact the support services, so that arrangements can be made for the child to be given some tuition outside school.

Rewards for good attendance

The classes with the highest attendance for the week will be identified in Celebration Assemblies and on the weekly school newsletter. There are '100% Attendance' certificates for each child who has 100 per cent attendance for a full term. Pupils who achieve 100 per cent for the whole year will receive a special award.

Stickers for each class with 100% attendance and good punctuality are given to every child who is in school every day and on time each week and during our termly 'Attendance and Punctuality Challenge Weeks.'

Attendance targets

The school sets attendance targets each year. The targets are challenging yet realistic, and based on attendance figures achieved in previous years. The school considers carefully the attendance figures for other similar schools when setting its own targets.

Monitoring and Review

It is the responsibility of the governors to monitor overall attendance, and they will request an annual report from the Headteacher. The governing body also has the responsibility for this policy, and for seeing that it is carried out. The governors will therefore

examine closely the information provided them, and seek to ensure that our attendance figures are as high as they should be. The school will keep accurate attendance records on file for a minimum period of three years. The rates of attendance will be reported on the school website annually. The Deputy Headteacher is responsible for monitoring attendance of all classes, based on information obtained from registers and end of Week Summary sheets. If there is concern about a child's absence, they will inform the Deputy Headteacher immediately.

This policy will be reviewed by the governing body every three years, or earlier if required.