



Pupil Attendance & Penalty Notices Policy

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Staff lead: Tina Blankley

Approved by: FGB

PUPIL ATTENDANCE & PENALTY NOTICE POLICY

Principles

Parents of registered pupils have a legal duty under the Education Act 1996 to make sure that children of compulsory school age attend school on a regular and full time basis. Permitting unauthorised absence from school is an offence and parents may be reported to the Education Authority if problems cannot be resolved by agreement.

Every half-day absence from school has to be classified by the school, (not by the parents), as either AUTHORISED or UNAUTHORISED. This is why information about the cause of each absence is always required. Authorised absences are mornings or afternoons away from school for a good reason; illness or other unavoidable cause.

Unauthorised absences are those which the school does not consider reasonable and for which no "leave" has been given. This includes keeping children off school unnecessarily; truancy; absences which have never been properly explained and children who arrive at school too late to get a mark in register by teacher.

Procedures

The school applies the following procedures in deciding how to deal with individual absences:

Illness and other legitimate reasons

If a child is unfit for school, one of the following procedures should be adopted:

1. Parents should contact the school on the first day to report the absence when the school form is completed or
2. When the child returns he/she must bring a signed written note to explain the absence by parent or carer.

It is NOT appropriate for the school to authorise absences for shopping, day trips etc. Leave may, however, be granted in an emergency (e.g. bereavement) or for medical appointments which must be in school time where no other option is available. Doctor and dentist appointments should be out of school time wherever possible.

Leave during term time

The Headteacher cannot authorise holidays taken during term time – this is a directive from the government. If parents still choose to take their children out of school on a holiday, it will be recorded as an unauthorised absence; which may lead to further action being taken, including the issuing of a penalty notice.

Lateness

Children must attend on time to be given a mark for that session; and parents are expected to ensure that children are present during registration. Late arrival after registration will require the completion of the 'late book', which must include reasons for the late arrival. Late arrivals (after registers close), without good reason, will be counted as unauthorised absence. Persistent lateness (10 or more) will lead to action being taken, not excluding the issuing of a fixed penalty notice.

Penalty Notices supplement the existing sanctions currently available under section 444, of the Education Act 1996 and section 36, of the Children's Act 1989, to enforce attendance at school where appropriate. Schools are now enforcing this responsibility for the County Council and does so by supporting parents and pupils to overcome barriers to regular attendance, via a range of assessment and intervention strategies.

Where Schools, Staffordshire Police and neighbouring LAs ask that Staffordshire County Council issue such a Notice, their request will be investigated and only actioned where:

- Staffs County Council is satisfied that it has all relevant information.
- The circumstances of the pupil's absence meets the requirements of this Protocol.
- There is a reasonable expectation that the use of a Penalty Notice would improve attendance.
- The issue of a Penalty Notice does not conflict with other intervention strategies in place or enforcement sanctions already being used.

Procedure for withdrawing Penalty Notices

Once issued, a Penalty Notice may be withdrawn in the following circumstances:

- The Council is satisfied that there is proof that the Penalty Notice was issued to the wrong person.
- The use of the Penalty Notice did not conform to the terms of this Protocol.
- The parent can show that they did not receive the Penalty Notice e.g. it was delivered to the wrong address.

Payment of Penalty Notices

- Arrangements for payment will be detailed on the Penalty Notice.
- 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 28 days is £60 and payment after this time but within 42 days is £120.
- The County Council retains any revenue from Penalty Notices to cover enforcement costs (collection or prosecuting in the event of non-payment).

Non-payment of Penalty Notices

Non-payment of a Penalty Notice will result in the withdrawal of the 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 parent's or specific children should not be made public.
- Issuing of Penalty Notices as a sanction is included in the Authority's Attendance Policy.

- The LA will include information on the use of Penalty Notices and other attendance enforcement sanctions in promotional or public information material.

Summary

The school has a legal duty to publish its attendance figures to parents and to promote good attendance. Various initiatives may be taken from time to time as required. If a child is not in regular attendance, he/she is being deprived of their right to a full-time education. Equally, parents have a duty to make sure that their children attend. The school is committed to working with families (and a range of external agencies), in order to ensure as high a level of attendance as possible.

Equality Information

This policy is underpinned by the Equality Information and Objectives Policy for Chancel Primary School which is available on request.

As a dyslexia friendly school we take into account the needs of children with specific learning difficulties.

This policy applies to the whole of Chancel Primary School, including the Early Years Foundation Stage.

The policy will be disseminated widely to all staff members, governors and parents and it will be reviewed every three years.

Approved by Governing Body (sign): _____

Dated: _____

Families First
Staffordshire County Council
2 Staffordshire Place
Tipping Street
Stafford
ST16 2DH

Email: paul.senior@staffordshire.gov.uk
Please ask for: Paul Senior

Dear Parent / Carer

Changes to Penalty Notices for Absence from School

Ensuring your child has access to a good education is very important to us.

A key part of this is for all children and young people to regularly attend school, as this gives each learner the best chance to achieve their full potential. In light of the recent Isle of Wight court case and the subsequent Supreme Court ruling on school absences, we wanted to clarify our position for parents where there may be the potential for any ambiguity and to also ensure we are fully compliant with legal requirements.

As a result, we have made a few changes to our previous guidance to schools, parents and carers regarding absence from school. The new guidance will come into force from **1 January 2018** and is detailed below:

Penalty Notice for leave of absence (holiday) in term time

From 1 January 2018 **any** period of unauthorised leave may result in you as a parent receiving a penalty notice fine. Your head teacher will continue to be the only person able to authorise leave in term time, but this will apply only in exceptional circumstances. Any unauthorised absence will be referred by your head teacher to the local authority.

Penalty Notice for persistent lateness

Previously a pupil had to achieve 20 unauthorised late marks before a penalty notice warning could be issued. **This has now changed to 10 marks**, and late marks do not have to be one after the other in order for the penalty notice to be issued. You are therefore encouraged where possible to ensure your child attends school on time. However, if your child is late you must inform the school of the reason(s) why, as they may be able to offer you some form of advice or support.

Period of time used to measure persistent absence and lateness

If your child has had 10 days unauthorised absence or is late 10 times over a twelve week period, you may receive a penalty warning notice and also potentially a fine. These changes have been agreed with local head teachers and have been implemented to help promote and support good attendance to school. Further details and a copy of the revised Code of Conduct for issuing Penalty Notices can be obtained from the council's website www.staffordshire.gov.uk/education.

The vast majority of children and young people in Staffordshire have an excellent record of school attendance, and we recognise the efforts of so many parents to ensure their children attend school regularly.

The Local Authority will continue to take appropriate action for absences during term time when we are notified by head teachers, both to support them in their role and to

ensure local children can continue to achieve the best possible outcomes from attending local schools.
Yours faithfully

Paul Senior
Head of Education Vulnerable Learner Services 0-25