

Atwood Primary Academy

Attendance & Punctuality Policy



Date: September 2021

Review Date: September 2022

(or to meet new legislation and practices)

Signed By: _____

Position: _____

Date: _____

Values

‘Central to raising standards in education and ensuring all pupils can fulfil their potential is an assumption so widely understood that it is insufficiently stated – pupils need to attend school regularly to benefit from their education. Missing out on lessons leaves children vulnerable to falling behind. Children with poor attendance tend to achieve less in both primary and secondary school’.

(School Attendance: Statutory guidance and departmental advice, DFE August 2013)

Atwood expects the highest attendance and punctuality from all pupils at all times. We support pupils and their families to ensure that excellent attendance is achieved. Croydon’s target is 95% but Atwood’s is 97%. At Atwood, we are continuously working towards our goal of 100% attendance.

Overall aims

- To ensure that every child is safeguarded and their right to education is protected.
- To ensure the school attendance target is achieved, through rewards and incentives for good attendance and punctuality.
- To raise standards and ensure every child reaches their full educational potential, through a high level of school attendance and punctuality.
- To ensure all the stakeholders, governors, parents, pupils and staff receive regular communication about the importance of good attendance and punctuality.
- To keep accurate, up-to-date records and have a robust and rigorous system for analysing attendance.
- To identify causes of low attendance/punctuality with individuals, classes and groups of pupils and address them.
- To work with external agencies in order to address barriers to attendance and overcome them.

Rights and responsibilities for attendance/punctuality

The Legal Framework:

There are legal obligations on:

- The parent(s) to secure education for their children whether at school or otherwise, to send them to school once they are on the register.
- The school to register attendance and notify the Local Authority of absence from school.
- The Local Authority to provide education and enforce attendance.

Head Teacher (HT)

- To be responsible for the overall management and implementation of the policy.
- To deal with parental requests for extended leave in line with Croydon’s policies and procedures.

Attendance Manager (AM)

- To lead on/take responsibility for attendance/punctuality including liaising with/responding to parental enquiries (with DM).
- To oversee the analysis of weekly/termly/yearly data and respond to findings.
- To meet with DM & HT to monitor the systems and structures, ensuring they are having an impact on pupil attendance and punctuality.
- To liaise with external agencies such as the Education Welfare Officer and make referrals where necessary.
- To ensure that rewards and incentives for attendance and punctuality are being used.
- To work with the teachers to plan for the re-integration of pupils after a long-term absence.
- To maintain clear communication with the SLT regarding attendance and punctuality.
- To revise and amend the policy as required.

Data Manager (DM)

- To carry out and record the outcome of first day calls when a child does not arrive at school when no reason has been received.
- To monitor weekly attendance data for all year groups.
- To check the school answer phone and take messages from parents/carers about pupil absence.
- To promptly inform the AM if there are concerns relating to attendance/punctuality.
- To produce weekly/termly/yearly data for AM/HT/SLT to analyse.
- To record reasons for absence and updating class registers.
- To implement the daily checking of registers after the morning and afternoon registration sessions.
- To contact parents/carers by letter in accordance with the policy.
- To maintain SIMS attendance records in line with this policy.
- To liaise with and report to outside agencies such as the Education Welfare Officer.
- To report to the Local Authority as requested.
- To maintain clear communication with the SLT regarding attendance and punctuality.
- To oversee the admission and induction of new pupils.
- To support AM with the promotion of good attendance and punctuality through finding/organising initiatives.
- To ensure staff are following the registration systems and structures in this policy.
- To inform parents of school procedures when parents have failed to inform the school.
- To monitor unauthorised absences, issue warning letters, and refer to LA for FPN where appropriate.

Staff

- To ensure quality first teaching every day with lessons that are well planned and resourced so that they challenge, inspire and meet their learner's needs.
- To keep accurate and up-to-date daily records of pupil attendance through the registration process.
- Take a formal register of all pupils twice a day at 8.45 and 12.30 or 1.30 depending on the key stage.
- To regularly remind children and parents about the importance of good attendance and punctuality.
- To follow up on pupil absence/lateness by ensuring reasons for absence/lateness are sought.
- To provide a welcoming and safe environment which encourages attendance and promotes the best performance from children.
- To establish good and effective communication links with parents/carers and work collaboratively in meeting the child's needs.
- If required, to work collaboratively with other agencies to assist them in fulfilling their statutory duties, for example regarding child protection.
- To work with pupils and their families where attendance is a concern, identifying barriers to good attendances and working to overcome these.
- To promptly inform AM/DM of pupils who persist with poor attendance/punctuality.
- To feedback to parents about pupil attendance and punctuality regularly and at Parents Evenings.

Parents/Carers

Children should only be kept at home if they have a serious illness or injury. If this is the case, parents/carers should contact the school first thing. If pupils have a dental, clinic or hospital appointment, parents/carers should let the school know. Children should be brought back immediately after appointments. Wherever possible, parents/carers should avoid making appointments during school time. Pupils should miss as little time as possible.

Definition of 'Parent'

The Education Act 1996, defines 'parent' as:

1. All natural parents, whether they are married or not.
2. Any person who, although they are not a natural parent, has parental responsibility (as defined in the Children Act 1989) for a child or young person.
3. Any person who, although not a natural parent, has care of a child or young person. Having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law.

Therefore, parents are expected to

- Ensure their child attends school and arrives **on time** every day.

- Promote a good attitude to learning by ensuring their children attend school in the correct uniform and with the basic equipment required for lessons.
- Not arrange medical and dental appointments in school time wherever possible.
- Telephone to inform the school on the first day of absence for their child.
- Work in partnership with the school and other agencies in the best interests of their child; this includes informing the school about significant influences and changes in your child's life which may impact on their learning.
- If you are experiencing problems that may affect your child's attendance or getting your child to school on time, please speak to a member of staff in confidence.

Strategies for promoting/rewarding excellent attendance

Aims:

- To ensure good attendance and punctuality (97% or above) is regularly promoted and supported and remains high profile across the school.
- To achieve high levels of attendance and punctuality (97% or above) through rewarding good attendance and punctuality.

Weekly Celebration Assemblies

Celebration assemblies are held weekly on Fridays for EYFS and KS1, and on Thursdays for KS2. Classes with the highest attendance receive the attendance cup (KS2) or Woody the attendance bear (EYFS/KS1).

School Newsletter

The school newsletter is used to highlight the importance of good attendance and punctuality. It regularly includes sections reminding parents of our school attendance target and what that means in terms of number of days absent.

The school learning environment

A welcoming, organised learning environment that supports and celebrates its learners, is a key factor in ensuring children enjoy school and attend regularly. All staff ensure that their learning environments are of a high quality. Regular, rigorous environmental audits are carried out by SLT to ensure this.

Staff promoting good attendance

It is important that teachers are regularly promoting good attendance with their classes. Good class attendance is attributed to good teaching and this is celebrated.

Attendance Certificate

Children with 100% attendance, receive a special attendance certificate termly (December, March, July) presented by the Head Teacher to reward those who achieve excellent attendance. **Only pupils achieving 100% for the whole year are eligible for the end of year certificate.**

Sharing Attendance Data

Pupils are informed on a weekly basis of attendance/punctuality achievements in our assemblies. Classes with the best attendance are rewarded as are children with excellent attendance. This develops healthy competition between year groups to improve attendance. It also engages the class teacher in conversations with their class about attendance.

Parent/teacher consultation evenings

This provides an opportunity for class teachers to praise and recognise excellent attendance or share attendance concerns and discuss barriers to good attendance. Where necessary an improvement target is set in consultation with AM/DM. This is then monitored and if no improvement is made a referral to the HT is made.

Monitoring and Recording Attendance and Punctuality

Class registers

Class registers are recorded using SIMS. Registers are the only way of recording pupil attendance and must be completed accurately. This is the responsibility of whichever member of staff has been directed to take the register for that session. Registers can be re-submitted in case of a mistake or a pupil arriving after submission, but registers must be accurate and submitted at key times.

Morning Register

Class registers are taken at 8.45 (8.50 Reception). At that point, the teacher may send their register to the office. Children arriving late should come into school via the office. The children's names and reason for lateness are recorded by DM/Office staff. If a child arrives in the classroom after the register is taken, the class teacher should note down the time and reason on the sheet in the register. It is important that any lates are recorded accurately.

The DM will then check children who have arrived late and correct the registers as necessary. The first day absence calls are then started.

Punctuality

The school day starts at 8.45 in KS1 and KS2, 8.50 in Reception, and 8.55 Nursery. We expect your child to be in class at that time. Your child will receive a late mark if they are not in by that time.

At 9.15, the registers will be closed. In accordance with regulations, if your child arrives after that time they will receive a mark that shows them to be on site but this will not count as a present mark and it will mean they have an unauthorised absence. **This may mean you will face a Penalty Notice if the problem persists.**

If your child has a persistent late record, you will be asked to meet with the AM and/or DHT or HT to resolve the problem.

IMPORTANT - Child protection and safeguarding concerns must be acted on immediately in line with the school's Safeguarding policy.

Monitoring First Day Absence

If a child is absent from school, and the school has not received a phone call or other message from the parent/carer, a first day absence call will be made. The DM follows this system;

- Phone parent/carers contact number(s)
- Repeat this during the first morning of absence if no response.
- Phone emergency contact number(s) to get an up-to-date contact number for the parent/carer and update the school system immediately.

- Class teacher/DHT/DM to speak to parents if they are at school to collect other children at the end of the day.
- Speak to parents/carers face-to-face or by phone the next day to establish reasons for absence and update contact numbers.

The parent/carer is asked to provide a reason as to why the child is not in school. The absence reason is recorded next to the child's name on the first day absence sheet and this is filed in the absence folder.

The DM must establish a reason for every absence. No absence should be left on the system as an 'N' (no reason given) code. If the DM has not been able to contact parents/carers after 10 days then the absence is recorded as unauthorised.

Attendance meetings

The AM/DM monitors individuals, classes, year groups, ethnic groups, SEN, Pupil Premium and Free School Meals children. They identify patterns and trends in absence/punctuality, including persistent absence. The systems and structures are then followed to improve attendance for these individuals or groups. Letters are sent out to parents/carers whose children's attendance is below 97% and parents/carers who are concerned about their child's attendance are invited to work in partnership with the school.

Understanding types of absence

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 any absence is always required.

Authorised absences

These absences are mornings or afternoons away from school for a good reason such as illness and/or medical/dental appointments which unavoidably fall in school time, emergencies, days of religious observance or other unavoidable causes. We remind you not to make dental or medical appointments within school time wherever possible.

Unauthorised absences

These absences are those which the school does not consider reasonable and for which no 'leave' has been given. These types of absence can lead to the Authority using sanctions and/or legal proceedings. These include:

- Parents/carers keeping children off school unnecessarily.
- Truancy before or during the school day.
- Absences which have not been properly explained.
- Children who arrive at school too late to get a mark. If a child arrives late, after the registers have closed and unauthorised code (U) will be issued. This is now an unauthorised absence, NOT a late (L code).
- Shopping, looking after other children or birthdays.
- Day trips and holidays in term time which have not been agreed.

Whilst any child may be off school because they are ill, sometimes they can be reluctant to attend school. Any problems with regular attendance are best sorted between the school, the parents/carers and the child. If your child is reluctant to attend, it is never better to cover up their absence or give in to pressure to excuse them from attending. This gives the impression that attendance does not matter and usually makes it worse.

Persistent Absenteeism (PA)

A pupil becomes a 'persistent absentee' when they miss 10% or more schooling across the school year for whatever reason. Absence at this level is doing considerable damage to any child's educational prospects and we need parents' full support and co-operation to tackle this.

We monitor all absence thoroughly. Any case that is seen to have reached the PA mark or is at risk of moving towards that mark is given priority and you will be informed of this immediately. PA pupils are tracked and monitored carefully through our pastoral system and we also combine this with academic mentoring where absence affects attainment.

All our PA pupils and their parents are subject to an Action Plan and the plan may include: allocation of additional support through a mentor, use of circle time, individual incentive programmes, and participation in group activities around raising attendance. All PA cases are also automatically made known to the Education Welfare Officer (EWO). If absences persist, parents may be prosecuted for the poor attendance of their children.

Summary of procedures to promote good attendance/punctuality

The following tables show specific procedures to maintain and encourage excellent attendance and punctuality at Atwood Primary Academy.

Daily Procedures	By Whom	Outcomes/action
Parents ensure pupils arrive at school on time every day	Parents/carers	
Parents inform school by 8.45am if their child is absent that day	Parents/carers	Office staff/DM update registration codes
Pupils arriving late at school are registered by DM/Office staff and class teacher	DM/Office staff Class teacher on register	Absence mark on SIMS amended to late mark by DM
Teachers record attendance using the register. This is done at 8.45 (KS1 and KS2) and 8.50 in Reception.	Teacher/TA/Supply	Register completed accurately and sent to office
1 st day absence calls are made to inform parents of their child's unexplained absence for that day. AM informed of attendance/punctuality.	DM	DM updates attendance codes

Weekly Procedures	By Whom	Outcomes/action
Attendance/punctuality statistics are produced by year group and school	DM	Records kept for monitoring and analysis by AM
Attendance/punctuality statistics produced and shared in Celebration Assemblies and displayed on Attendance boards	DHT/HT – Assemblies DM – statistics AM – update board	Parents/children able to see which classes have been successful with attendance/punctuality.
Absence codes for individual pupils are updated using SIMS to show reason for absence.	DM	Information provided here is used to provide targeted interventions as appropriate.

Half termly and termly Procedures	By Whom	Outcomes/action
Analyse attendance/punctuality data to monitor trends and progress	AM	In conjunction with the EWO
Assemblies to promote attendance/punctuality and share term's data and progress	DHT/HT	
Discussions required in response to specific attendance/punctuality concerns of a particular cohort of pupils	AM/HT	
Individual attendance/punctuality discussed with pupils and families at parents' evenings	Class teachers	Mentoring/advice on issues provided to all families

Analyse attendance/punctuality data and information to identify cases of concern and develop appropriate interventions.	AM, in conjunction with the EWO	Targeted interventions for individual concerns
Meeting to discuss individual cases, monitor progress and refer new concerns. Support and meeting provided for pupils and families	AM/HT, in conjunction with the EWO	
Review success and impact of attendance/punctuality strategies for the term	AM/DM/HT	Amend and refine interventions as appropriate.

Extended holidays

Taking holidays in term time will affect your child's schooling as much as any other absence and we expect parents not to take children away during the school term. There is **no automatic entitlement in law to authorise holidays**. The relevant form must be completed and submitted to the HT for approval.

Parents should complete the letter requesting leave from school. In making a decision the school will consider the circumstances of each application individually, including any previous pattern of leave in term time.

Head teachers **may now only grant** leave in term time where the circumstances are exceptional, for example:

- Death of a parent/carer or sibling of the pupil.
- Life threatening or critical illness of parent/carer or sibling of the pupil.
- Parent/carer recuperation and convalescence from critical illness or surgery.

Family emergencies need careful consideration. It is not always in the best interest of the child, nor appropriate for them to miss school for family emergencies that are being dealt with by adult family members. Being at school, friendships, and support from staff

can provide children with stability and care during difficult times. The routine of school can provide a safe and familiar background during times of uncertainty.

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

Fixed Penalty Notices

The Anti-Social Behaviour Act 2003 states that Penalty Notices can be issued for cases of unauthorised absence from school. Section 23 of the Act empowers designated Local Authority Officers, Head Teachers (including Deputy and Assistant Heads nominated by them), and the Police to issue the aforementioned Penalty Notices.

The LA has the primary responsibility for producing the overseeing Penalty Notice Code of Conduct and ensuring consultation takes place with governing bodies, head teachers and chief officer of police, in adopting the code.

- The education-related aspects of the **The Anti-Social Behaviour Act 2003** apply to all parents who fall within the definition of Section 576 of the Education Act 1996.

Cases where issuing a Fixed Penalty Notice will be considered

- (1) Poor School Attendance
- (2) Unauthorised Leave of Absence during term-time
- (3) In case of an excluded pupil

Although the LA does not condone any unauthorised absence, the criterion have been set so that in the instance where a Penalty Notice remains unpaid, the LA can confidently institute Magistrate Court proceedings.

(1) Poor School Attendance:

The pupil has 5 or more sessions of unauthorised absence in the 6 weeks (60 Sessions) prior to a notice being requested

AND

Their attendance has not been below 80% (24 sessions of absence) in the last 12 weeks (120 Sessions) prior to a notice being requested.

(2) Unauthorised Leave of Absence during term time:

A leave of absence of five days (10 sessions) or more was taken during term time without the school's consent in the 6 weeks prior to a notice being requested.

If a child arrives late, after the registers have closed and unauthorised code will be issued. This is now an unauthorised absence, NOT a late.

(3) In case of an Excluded Pupil

The pupil is found unsupervised in a public place during school hours during the first 5 days of exclusion without good reason.

Good reason might include attendance at a medical appointment, YOT appointment or other appointment with a statutory or voluntary agency.

Payment

- Arrangements for payment will be detailed on the Penalty Notice.
- A Penalty Notice shall be for the sum of £60 if paid within 21 days rising to £120 thereafter until the final deadline of 28 days.
- Part Payments or Payment plans are not acceptable and fines must be paid in full within 21/28 days.
- Payment in full of the Penalty Notice discharges the parent's legal responsibility for the period of unauthorised absence outlined in the Notice and the parent cannot be subsequently prosecuted for that period

Enforcing Attendance Regular attendance at school is a legal requirement and Section 444 (1) and 444 (1A) of the Education Act 1996 and Section 36 of the Children Act 1989 already exist to enforce attendance through the

Courts in appropriate circumstances. The legal responsibility for compliance with these Acts rests with the parents and courts have the powers to fine, imprison or impose various orders.

Did you know.....?

Children only spend 190 days out of 365 at school.

Children who lose time from school do not do as well as they could.

There is never a good time to take children away from their lessons.

It is not true that....

- They catch up. Research shows that missing lessons, pupils soon fall behind. Lessons they miss are **not** repeated at a later date.
- You automatically have 10 extra days school holiday a year. Schools are quite within their rights to refuse applications.
- For younger children, schooling does not matter. It is quite the opposite. This is a crucial time for children in school.

Look at the effect of poor attendance and punctuality on pupil learning and progress.

Punctuality	Time out of class over a year
5 minutes late a day	3¼ days lost per year
10 minutes late a day	6½ days lost per year
15 minutes late a day	10 days lost per year
20 minutes late a day	13 days lost per year

Please put your child's education first.

CROYDON LOCAL AUTHORITY DEPARTMENT FOR CHILDREN, FAMILIES & LEARNING EDUCATION WELFARE SERVICE

Penalty Notice Code of Conduct – September 2014.

I Legal Basis

I.1 The Anti-Social Behaviour Act 2003 contains provision for the issue of Penalty Notices for cases of unauthorised absence from school. Section 23 of that Act empowers designated Local Authority officers, Head Teachers (including Deputy and Assistant Head Teachers nominated by them) and the Police to issue the aforementioned Penalty Notices. In consultation with and following agreement from schools, the administration of the Penalty Notice Process will be undertaken by the Local Authority (Croydon Council), who will process Penalty Notice requests received from the school.

I.2 The Local Authority (LA) has primary responsibility for producing and overseeing the Penalty Notice Code of Conduct (“the Code of Conduct”)and , ensuring consultation takes place with governing bodies, head teachers and the chief officer of police for the area in adopting the code.

I.3 The education-related provisions of the Anti-Social Behaviour Act 2003 apply to all parents who fall within the definition set out in Section 576 of the Education Act 1996. This defines ‘parent’ as:

1. All natural parents, whether they are married or not.
2. Any person who, although they are not a natural parent, has parental responsibility (as defined in the Children Act 1989) for a child or young person.
3. Any person who, although not a natural parent, has care of a child or young person. Having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law.

Throughout this document, references to 'parent' mean each and every person coming within the definition, whether acting jointly or separately, and should not be taken to mean that provisions only apply to 'parent' in the singular.

2. Reasons for Introduction

2.1 Clear evidence exists to support the link between poor attendance at school and low achievement (only 10% of persistent truants achieved 5 A - C GCSE's compared to 58% of regular attendees). Unemployment, low take up of further training, crime (66% of young offenders are truants), early age use of drugs and alcohol, poverty, low expectations and subsequently poor parenting skills are additional consequences of poor attendance at school.

2.2 There is now additional evidence from research conducted by the Department for Education (DfE) that overall grades achieved by individual schools decline in line with the number of school days missed by pupils during the year. In 2005 89.5% of pupils with less than 7 days' absence achieved 5+ GCSE's, grades A-C. By contrast, only 28% with absence of more than 20 days achieved the same levels.

2.3 Regular attendance at school is a legal requirement and Section 444 (1) and 444 (1A) of the Education Act 1996 and Section 36 of the Children Act 1989 already exist to enforce attendance through the Courts in appropriate circumstances. The legal responsibility for compliance with these Acts rests with the parents and courts have the powers to fine, imprison or impose various orders.

2.4 Where difficulties arise with school attendance, schools, together with Attendance and Welfare Officers (where available), are available to assist both family and school to resolve these difficulties. In addition, SEN support, mentoring, parenting support through a raft of voluntary agencies as well as support from Social Care exists to enable adults to parent effectively so that children can achieve to their full potential.

2.5 In the small minority of cases where parents are unwilling to ensure their children's regular attendance at school and to engage with support networks, sanctions are

necessary. Such sanctions are not intended as punishment but rather as a means of persuading the parents to recognise their responsibilities, comply with the law and ensure their children's access to education.

3. Use of Penalty Notices

3.1 Penalty Notices will only be issued for cases of unauthorised absence or in the case of pupils been excluded from school and are found in a public place without good reason. When a Penalty Notice is issued for cases of unauthorised absence, the defences in law against the offence remain the same as for the substantive offence under Section 444 (1) and 444 (1A) of the Education Act 1996. Any defence against conviction on this charge is very limited and the matter is dealt with in a Magistrates' Court.

3.2 Penalty notices are more effective with less entrenched cases and will not be used for cases meeting the EWS referral criteria of 80% or less attendance, which often require investigation to ensure complex issues are identified and support offered prior to legal action being considered.

3.3 The local authority is required to set out the maximum number of penalty notices which may be issued to each parent in any 12-month period. For these purposes the local authority has set the maximum at one penalty notice for each parent with no restriction on the number of warnings issued, **although more than one penalty notice can be issued in a 12-month period in instances relating to multiple leaves of absence during term time.** Should the issue of a Penalty Notice fail to improve attendance, consideration will be given to a prosecution.

N.B. It is not a defence for the parent to say that s/he was unaware of the absences or the pupil being out unsupervised during an exclusion from school. Parents are expected to know where their children are on a daily basis and there is no duty, in law, on the school or the LA to advise them of their child's absence.

3.4 Specific Conditions

Children Looked After: Croydon Council does not include Children Looked After in the Penalty Notice process. Where there are concerns over attendance with a child in Croydon Council or other Local Authority care, a review should be held to determine that appropriate provision is in place and whether changes need to be made to better engage the young person with their education.

Special Education Needs (SEN): For pupils in receipt of a Statement of Educational Needs and/or school action plus funding, an early review should be held before considering a Penalty Notice or other legal action. This is to determine that appropriate provision is in place and whether changes need to be made to better engage the young person with their education.

4. Key considerations prior to the issue of a Penalty Notice

4.1 In the case of absence from school, a penalty notice should be considered if the parent is judged capable of securing better attendance but is not willing to accept that responsibility and it is considered likely to improve the pupil's attendance.

4.2 This judgment is based on the parental response to warnings issued by the LA and the school regarding their child's poor attendance and their engagement with the school and/or the EWS in attempts to improve attendance.

4.3 Parents who do not heed warnings or respond to efforts to deal with their child's absences may be adjudged to have failed in their duty and will receive a Penalty Notice for each individual parent and for each child with unauthorised absence.

4.4 In order for the Local Code of Conduct to reflect due regard to the Human Rights Act and DfE Regulations and Guidance, the LA 's Code of Conduct has been amended in order to meet its statutory obligations.

4.5 LA's, schools and the police must demonstrate regard to the Human Rights Act and ensure they apply their powers fairly and consistently and in the case of penalty notices, the local code of conduct must be seen to fully comply with the Human Rights Act.

4.6 The purpose of the local Code of Conduct is to ensure that the powers are applied consistently and fairly and therefore the LA will only issue penalty notices on behalf of schools in the circumstances detailed below.

4.7 Under the Education (Pupil Registration) (Amendment) Regulations 2013 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.

**4.8 It is for Headteachers to determine if the request is Exceptional.
Legislation requires that each request is judged on a case by case basis.**

4.9 The DfE expects that head teachers will use their discretion sparingly. Head teachers should not fetter their discretion by applying policies (for example, blanket bans) which might suggest that each application has not been considered on its individual merits.

4.10 The LA must have regard to a parents' ability to pay any Penalty Notices issued and, in situations where there is more than one non-attending child and/or parent in a family, the impact of multiple notices must receive careful consideration. However, financial circumstances alone will not prevent the issue of a Notice. The decision to issue a fine to both parents will take into account the considerations set out in section 6.1 below.

4.11 Before a Penalty Notice is issued it must be evident that the matter is capable of proof in the Magistrates' Court so that in the event of non - payment of the charge the parent/carer can be prosecuted.

5. Cases where issuing a Penalty Notice may be considered:

5.1 Poor School Attendance: (Also see Paragraph 6.1)

The pupil has 5 or more sessions of unauthorised absence in the 6 weeks (60 Sessions) prior to a notice being requested

and

Their attendance has not been below 80% (24 sessions of absence) in the last 12 weeks (120 Sessions) prior to a notice being requested. The pupil has been stopped on a School Attendance and Exclusion Sweep (also known as Truancy Patrol) on more than one occasion, with no justified reason for absence. (See Section 6.3)

5.2 Unauthorised Leave of Absence during term time: (Also see Paragraph 6.2).

A leave of absence of five days (10 sessions) or more was taken during term time without the school's consent in the 6 weeks prior to a notice being requested.

5.3 In case of an Excluded Pupil (Also see Paragraph 8.4)

The pupil is found unsupervised in a public place during school hours during the first 5 days of exclusion without good reason.

Good reason might include attendance at a medical appointment, YOT appointment or other appointment with a statutory or voluntary agency.

5.4 In the case of a Non-Court Disposal

A penalty notice may be issued as an alternative to legal action through the magistrates court in the following circumstances:

- Evidence of intervention has been supplied by the pupil's school and/or the Local Authority;
- The Local Authority is satisfied that an offence has been committed under Section 444(1) Education Act 1996;
- There are no "aggravating" factors which would suggest that a Fixed Penalty Notice is not appropriate, including the parent having previous school attendance related convictions.

- There is evidence that the child's attendance has improved, but that unauthorised absence is still occurring "infrequently" (Less than 5 sessions in the last 6 weeks).

6. To assist Head teachers in applying their powers fairly and consistently the LA expect the following check list be applied

6.1 Poor attendance

Although the LA does not condone any unauthorised absence, the criteria for issuing a penalty notice have been set to take into account the level of unauthorised absence that the LA can confidently institute Magistrate Court proceedings in the event that the Penalty Notice remains unpaid.

Consider

- Has the parent been regularly contacted by the school to establish the reasons for absence or is there established parental non-engagement in response to phone calls, letters or invitations to school based meetings.
- Could there be underlying issues which need to be explored with the parents at a school based meeting to identify if any support is required.
- When parents are separated and do not live at the same address, establish how much involvement each parent has in caring for the child/ren. If one parent has little involvement, consider whether it is in the public or family's interest to issue a fine to both parents.
- Parents who live at the same address will be equally responsible for their child/ren's attendance and will each receive a fine for each child.

6.2 Leave of Absence

Consider

- The family's circumstances and the likely benefits to the child and family, taking into account social, emotional and cultural reasons;
- The likely detrimental impact on the child's social, emotional and intellectual development, attainment level and any SEN.

- Meeting parents to explore exceptional circumstances such as bereavement, funerals abroad, unavoidable cause (illness/flight delays) to determine the reasonableness of delay to return and allow parents the opportunity to provide appropriate evidence. This is to reduce the need for subsequent Local Authority Penalty Notice withdrawals based on retrospective evidence;
- Siblings in other Croydon schools. Liaise with other schools in individual cases to agree a consistent approach in considering term time holiday request and penalty notice;
- The child's previous attendance record;
- Consider exceptional circumstances put forward by the parent, explicitly setting out considerations taken by the school in a letter to the parent confirming when requests are unauthorised.
- The Local Authority advises schools that no leave of absence should be authorised for children with attendance below 95% (Ofsted's recommended level good attendance); unless exceptional circumstances exist.

Notices can be issued without warning where schools can show that a leave of absence was taken during term time without the consent of the Head Teacher and the parent was made aware in writing of the possible consequences, including the issuing of a fixed penalty notice.

6.3 For pupils stopped during a School Exclusion and Attendance Sweep (Truancy Patrol)

Consider

- Ensuring that there are no genuine reasons for the absence and any underlying issues which may need school based support.
- Arranging a parent meeting on the first occurrence of established unauthorised absence and warn of the risk of receiving a penalty notice. Penalty notices for pupils stopped twice during a sweep will act as a trigger to consider a penalty notice.

6.4 Non-Court Disposal

A penalty notice may be used in circumstances where it is it may be more appropriate to make use of a non-court disposal than to seek legal proceedings via the magistrates' court.

In such instances, the expectation is that a request for legal action, together with supporting evidence, would have been submitted to the Local Authority in order to establish that an offence has been committed.

No warning letter will be issued in this circumstance, as the parent would have already been informed that they may be committing an offence, and that legal action may be sought.

The Local Authority may only make use of the PN as a non-court disposal, according to Section 447 of the Education Act 1996.

7. School action prior to referring to the EWS for the issuing of a Penalty Notice

7.1 The School's Governing Body has endorsed the operation of the penalty notice scheme;

7.2 The School's Attendance Policy clearly explains the criteria and process for addressing poor attendance;

7.3 The School has fully considered any extenuating circumstances and has established there are no justified causes for the absences;

7.4 A written notice has been sent to parents informing them of the consideration to refer to the Local Authority to issue a penalty notice.

7.5 While the Head teacher can delegate the authority to a member of staff to make penalty notice referrals on their behalf, all referrals must be signed (or sent if via e-mail to EducPenaltyNotices@croydon.gov.uk) by a member of the Senior Leadership Team to confirm authorisation to ensure that referrals are made in line with the protocol.

7.6 It is good practice to ensure that parents are reminded on an annual basis of the school's policy on attendance, including the existence of Penalty Notices.

8. Procedure for the issuing of Penalty Notices by the Local Authority

8.1 Schools considering referring cases to the Local Authority for Penalty Notices to be issued for unauthorised absences will need to follow the process below.

8.2 Required documentation

If Penalty Notice is in relation to unauthorised absence:

- A fully completed penalty notice request form;
- A Certificate of Attendance.
- A copy of the school's warning letter to the parent, warning that a referral may be made to the local authority to issue a penalty notice.

8.3 If Penalty Notice is in relation to an unauthorised leave of absence:

- A fully completed penalty notice request form;
- A Certificate of Attendance;
- A holiday request form or letter from the child's parent;
- Record of discussion with the parent if extenuating circumstances are raised for an unauthorised term-time holiday;
- A refusal of leave letter from the school should be sent outlining:
 - a. the exceptional circumstances the school has considered;
 - b. setting out the reasons for refusal;
 - c. Including a statement regarding the consequences of taking an unauthorised holiday, including the issuing of a penalty notice if a pupil continues to be absent during this period.

OR

If the parent has not applied for a leave of absence, but the school ascertains after a period of absence that this should have been unauthorised, a refusal of leave letter explaining how the school came to this decision together the points a) to c) listed above.

8.4 If a Penalty Notice is in relation to an Excluded Pupil found unsupervised in a public place during school hours in the first 5 days of exclusion without good reason

- A fully completed penalty notice request form for excluded pupils;
- Copy of exclusion letter highlighting the local authority's ability to issue a penalty notice;
- Confirmation that the parent has had the opportunity to provide evidence for any legitimate reasons for being found in a public place; If a penalty notice remains unpaid, a witness statement must be provided by either a member of the Education Welfare Service and/or a Police Officer/Community Support Officer who stopped the excluded pupil in a public place during school hours.

8.5 The above will be used as evidence in court should the penalty fine remain unpaid. The Parent(s) will then be prosecuted for an offence under Section 444(1) Education Act 1996 (Poor Attendance) or Section 103(3) Education and Inspections Act 2006 (Excluded Pupil stopped in public place).

8.6 Local Authority action on receipt of referral – Poor Attendance

The LA will produce a Warning Letter within 5 working days of receiving a referral for distribution to the parents/carers of pupils who have been identified as meeting the criteria. This letter will clearly set out the circumstances whereby a Penalty Notice can be issued and the consequences for failure to pay within the required time scale.

8.7 Warnings will be recorded on a database, potential duplication checked and cases monitored for actions to take place within the prescribed timescales.

8.8 Parents of Pupils, who at the point of referral have had 5 or more unauthorised absences over the previous six weeks for poor attendance or lateness, will be sent a warning letter, outlining that their attendance will be monitored for 30 Sessions (15 school days). No more than one unauthorised absences should occur following this warning during the monitoring period.

8.9 Should 2 or more unauthorised absence occur during the monitoring period, the decision whether to issue a Penalty Notice will be authorised by the Lead Officer – Education Safeguarding and School Attendance or an authorised person in their absence following consultation with the school.

8.10 An offence is committed by an individual parent for each individual child's unauthorised absence. To ensure each parent is aware of their legal duty, each parent will be written to individually and will receive a separate Warning Letter and Penalty Notice for each child they are responsible for.

8.11 Where a Penalty Notice is issued, it will be sent by the Education Welfare Service (EWS) via First Class post to the parent's last known address. The database will be checked before the issue of the Notice in order to avoid duplication.

8.12 Local Authority action on receipt of referral - Unauthorised Leave of Absence

Penalty Notices for unauthorised leave of absence during term-time will be issued without a Warning Letter. The school's letter confirming the refusal of the request will have acted as a warning and raised parental awareness of the unauthorised holiday and the risk of receiving a penalty notice.

8.13 Where a Penalty Notice is issued, it will be sent by the EWS within 5 working days of the referral being received via First Class post to the parent's last known address. The database will be checked before the issue of the Notice in order to avoid duplication.

8.14 Penalty Notices will be issued to the parents of pupils registered at Croydon schools, irrespective of their actual home address. This also means that follow-up prosecutions where parents fail to pay the Notice or to improve their children's attendance will extend to families resident outside the Borough. Croydon EWS will notify the 'home' authority of all pupils resident outside of Croydon if a prosecution is

undertaken. Penalty Notices will not be issued to parents whose children are not on roll of a Croydon school.

9. Withdrawal of a Penalty Notice

9.1 The LA will withdraw any Notice issued if one or more of these conditions exist:

- (a) that authority determines that— (i) it ought not to have been issued; or (ii) it ought not to have been issued to the person named as the recipient; or
- (b) it appears to the authority that the notice contains material errors Where any of the above occurs, written notice of the withdrawal shall be given to the recipient and any monies paid over shall be fully refunded.

9.2 The Decision to Prosecute will be taken in line with the Code for Crown Prosecutors

The Code is issued by the Attorney General which states that the decision to prosecute an individual is a serious step. Fair and effective prosecution is essential to the maintenance of law and order and therefore careful consideration will be given before agreeing to institute court proceedings under Section 444 of the Education Act 1996 10

General Principles

Each case is unique and must be considered on its own.

The right person is prosecuted for the right offence which underlines the importance of having up to date information on school records of all those with parental responsibility as well as day-to-day care and supervision. It is essential that schools regularly up-date their contact details.

There is sufficient evidence to provide a realistic prospect of conviction and consideration must be given to what the defence case may be and how that is likely to affect the prosecution case.

Is the evidence reliable? It is therefore essential that schools ensure that they are satisfied with the accuracy of the register and registration codes used.

There are also Public Interest factors against prosecution which must be considered:

The offence was committed as a result of a genuine mistake or misunderstanding;

A prosecution is likely to have a detrimental effect on the victim's physical or mental health;

The defendant is suffering from mental or physical ill-health;

It is considered that there is insufficient evidence to provide a realistic prospect of conviction;

At the point of considering issuing a penalty notice the above principles should be taken into account. However, should these issues only come to the notice of the school or LA once the notice has been issued, a withdrawal will be considered in discussion with the school's Attendance Lead and attached Attendance and Welfare Officer.

9.3 When a Notice is withdrawn, no proceedings under Section 444 of the Education Act 1996 shall be instituted against the recipient in respect of the period covered by the original Penalty Notice.

10. Payment

10.1 Arrangements for payment will be detailed on the Penalty Notice.

10.2 A Penalty Notice shall be for the sum of £60 if paid within 21 days rising to £120 thereafter until the final deadline of 28 days.

10.3 Part Payments or Payment plans are not acceptable and fines must be paid in full within 21/28 days.

10.4 Payment in full of the Penalty Notice discharges the parent's legal responsibility for the period of unauthorised absence outlined in the Notice and the parent cannot be subsequently prosecuted for that period.

10.5 Any revenue arising from the issue of Penalty Notices will be retained by the LA to offset the costs involved in their issue or any subsequent prosecutions arising from non-payment.

10.6 Payment after the deadline may be accepted in exceptional circumstances. In this situation the higher amount of £120 is payable and part payment or payment plans continue to not be acceptable.

11. Non Payment

11.1 The offence detailed in the Penalty Notice must be capable of proof in the Magistrates' Court so that in the event of non-payment of the charge the parent/carer can be prosecuted. Non-payment of Penalty Notices within the prescribed time limits will result in the initiation of a criminal investigation and possible prosecution under Section 444(1) of the Education Act 1996 for the original offence detailed in the penalty notice.

Appendix I – Attendance Policy Short Version (website)

Attendance

Good attendance and being on time are essential if pupils are to take full advantage of school and gain the appropriate skills which will equip them for life. Excellent attendance is a key factor in high achievement and we believe that here, at Atwood, parents, carers, teachers and our governors have a duty to encourage maximum attendance at school.

In order to promote and monitor attendance at Atwood, we use a 'traffic light' system as a guide to attendance levels. Please see the table below. For the avoidance of doubt, government expectations for satisfactory attendance is 95%; therefore, at Atwood, we strive for excellent attendance of 97% or above. Attendance below 90% is deemed as a concern and is classed as 'persistent absenteeism'.

EXCELLENT	Your child's attendance is above 98%. As well as being an excellent attender, your child will have the best possible chance of reaching their full potential.
GOOD	Your child's attendance is 96% - 98%. Your child is likely to be on track to reach their full potential.
SATISFACTORY	Your child's attendance is 95%.
UNSATISFACTORY	Your child's attendance is 94% - 90%. They are below the national government threshold of 95%. Your child will miss up to 18 days each school year and this will make it difficult for them to achieve their best.
CONCERN	Your child's attendance is between 85% - 90%. Parents/Carers may face a Fixed Penalty Fine (FPN) as your child's attendance is below 90% and they are 'persistent absentees'. Your child is missing so much time from school that it will be difficult for them to make adequate progress.
SERIOUS CONCERN	Your child's attendance is below 85%. You need to TAKE ACTION NOW as you will face a Fixed Penalty Fine or further legal prosecution if your child's attendance does not improve. Your child is missing so much time from school that it will be almost impossible for them to make adequate progress.

Parents and carers of children at Atwood are responsible for ensuring that their children come to school every day and arrive at school on time. Therefore, we will be working in partnership with our parents and carers in order to achieve this.

Punctuality

Being on time is also very important. When children are late for school, they not only miss out on valuable learning time but also disrupt their classmates who are already settled. For some children who are persistently late, this can be an embarrassing experience that may lead to uncooperative and disruptive behaviour at school and at home.

School finishes at 3:10pm for Infants and 3:15pm for Juniors. Your child should be collected on time. Waiting and not knowing why parents are late can cause anxiety for children especially when they observe that every member of the class has been collected.

Important times of the school day

Morning Register

Class registers are completed electronically at 8:45am (8:50am in Reception). Children arriving late should come into school via the office. The children's names and reason for lateness are recorded by office staff. If a child arrives in the classroom after the register is taken, the class teacher should note down the time and reason on the record sheet. It is important that any late arrivals are recorded accurately.

Office staff will then check children who have arrived late and correct the registers as necessary. The first day absence calls are then started.

Punctuality

The school day starts at 8:40am in KS1 and KS2, 8:45am in Reception, and 8:50am Nursery. We expect your child to be in class at that time. Your child will receive a late mark if they are not in by the required time.

If your child arrives after these times, they will receive an L code for authorised absence. Registers close 30 minutes after the start of the school day. If your child arrives after registers close, they will receive a U code for unauthorised absence that shows them to be on site but this will not count as a present mark and it will mean they have an unauthorised absence. **This may mean you will face a Penalty Notice if the problem persists.** If your child has a persistent late record, you will be asked to meet with the Attendance Officer and the Headteacher to resolve the problem.

Absences

What is an authorised absence?

Many absences are for justifiable reasons and will therefore be authorised by the school. These include absence for:

- Illness (frequent absence for illness will be monitored)
- Religious observance
- Compassionate leave such as bereavement
-

What is an unauthorised absence?

These are absence where the reasons are not considered acceptable by the school and officers working on behalf of the Local Authority. Please avoid the following reasons:

- If it is your child's birthday
- Oversleeping by child or parent/carer
- Your child has non-infectious conditions
- Parental illness
- Doctor or dentist appointment that lasts all day
- Weddings
- Unauthorised lateness
- Holidays during term time. *

Responsibility of Parents/Carers

Children should only be kept at home if they have a serious illness or injury. If this is the case, parents/carers should contact the school first thing. If pupils have a dental, clinic or hospital appointment, parents/carers should let the school know and provide an appointment card or letter of confirmation. Children should be brought back immediately after appointments. Wherever possible, parents/carers should avoid making appointments during school time. Pupils should miss as little time as possible. The school can be informed either via the absence line (0208 657 7374 – Option 1) or by text or email using the School Gateway app or website.

Communication

Parents and Carers are expected to notify the school immediately on the first day if their child is absent from school with the reason why. If we do not hear from you, office staff will contact you by phone or text. You are advised to respond immediately. The emphasis on this cannot be stronger due to our legal requirements regarding Safeguarding. If there is no response, absences will be unauthorised and our EWC will be notified.

***Please note:** The Governing Body of Atwood Primary Academy have made the decision not to authorise families taking holidays during term-time, other than in exceptional circumstances. If parents take their child out of school during term-time for a holiday, the Attendance Office will notify the EWC and you may be issued with a Fixed Penalty Notice (FPN). Please read the section on the back page to find out more about FPNs.

Rewards for Excellent Attendance

Aims:

- To ensure good attendance and punctuality (97% or above) is regularly promoted and supported and remains high profile across the school.
- To achieve high levels of attendance and punctuality (97% or above) through rewarding good attendance and punctuality.

Weekly Celebration Assemblies

Celebration assemblies are held weekly on Fridays for EYFS and KS1, and on Thursdays for KS2. Classes with the highest attendance receive the attendance cup (KS2) or Woody the attendance bear (EYFS/KS1).

School Newsletter

The school newsletter is used to highlight the importance of good attendance and punctuality. It regularly includes sections reminding parents of our school attendance figures.

The school learning environment

A welcoming, organised learning environment that supports and celebrates its learners, is a key factor in ensuring children enjoy school and attend regularly. All staff ensure that their learning environments are of a high quality. Regular, rigorous environmental audits are carried out by the Senior Leadership Team to ensure this.

Staff promoting good attendance

It is important that teachers are regularly promoting good attendance with their classes. Good class attendance is attributed to good teaching and this is celebrated.

Attendance Certificate

Children with 100% attendance, receive a special attendance certificate half-termly, presented by the Head Teacher to reward those who achieve excellent attendance. **Only pupils achieving 100% for the whole year are eligible for the end of year certificate.**

Sharing Attendance Data

Pupils are informed on a weekly basis of attendance/punctuality achievements in our assemblies. Classes with the best attendance are rewarded as are children with excellent attendance. This develops healthy competition between year groups to improve attendance. It also engages the class teacher in conversations with their class about attendance.

Parent/teacher consultation evenings

This provides an opportunity for class teachers to praise and recognise excellent attendance or share attendance concerns and discuss barriers to good attendance. Where necessary an improvement target is set in consultation with the Attendance Officer. This is then monitored and if no improvement is made a referral to the Headteacher is made.

Educational Welfare Officer

The school works very closely with the EWO. Referrals are made to her when the school is concerned about high levels of absences and persistent lateness. The Local Authority may in cases of unacceptable unauthorised absence, issue a Fixed Penalty Fine (FPN) or enforce attendance. Please be aware that legal measures may be taken against you.

An FPN is a fine. Parents who are issued an FPN will be expected to pay a fine of £60 per parent, per child. If the fine is not paid within 14 days, it will increase to £120 per parent, per child.

Every attempt will be made by the school to work in partnership with you to ensure that your child attends school regularly and on time. The Attendance Officer will arrange to meet with parents to discuss attendance issues in order to improve the child/children's attendance.

If there is not an improvement in your child's attendance/time keeping, then the school will refer the matter to the Education Welfare Service. This is a route we wish to avoid. Should you have any concerns and/or would like us to support you, please contact the school to arrange a meeting and we will be delighted to help you in any way we can.

'If a child of compulsory school age who is a registered pupil at school fails to attend regularly at the school, his/her parent is guilty of an offence'.

Education Act 1996