



Hedingham School & Sixth Form

Attendance Policy

Reviewed and amended by Mr D Nash, Assistant Headteacher, and the Attendance Officer

Approved by the Curriculum and Personnel Committee on:	17 May 2023
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Next review due by:	Ongoing

CONTENTS

Introduction

School Attendance and the Law

Roles, Responsibilities and Procedures

Persistent Absenteeism (PA)

Children Missing in Education due to a Reduced Educational Offer

Flexi-Schooling

Evaluation and Review

Appendix A: Useful Information for Parents

**Annex B: DFE Guidance Summary Table of Responsibilities for School Attendance
September 2022**

**Annex C – Essex Code of Conduct Penalty Notices for Parents/ Carers of Truants
and Parents / Carers of Pupils Excluded from School**

Legislative Framework for Education Penalty Notices

Authorisation to Issue Penalty Notices

Circumstances In Which a Penalty Notice May Be Issued

Payment of Penalty Notice

Withdrawal of Penalty Notice

Co-ordination Between the Local Authority and Its Local Partners

Annex D Hedingham School First Day Calling and Beyond

INTRODUCTION

Hedingham School provides a high-quality educational experience for all students and strives to ensure that each individual's academic and personal development is fulfilled. All educational studies confirm that there is a direct link between regular attendance at school and student attainment in public examinations. Those students who attend regularly also establish and develop better social relationships with their peers and members of staff and, in turn, positive mental health and well-being.

The school will do all that it can to ensure maximum attendance for all students. Any problems that prevent full attendance will be identified as soon as possible and support strategies put in place.

It is the policy of the school to celebrate achievement and we will actively promote, encourage and reward excellent attendance for all students. We recognise that parents and guardians have a vital role to play and that there is a need to establish strong home-school links and communication systems that can be utilised whenever there is a concern about attendance.

SCHOOL ATTENDANCE AND THE LAW

Under the 1996 Education Act, parents and guardians are responsible for ensuring their children attend school regularly and punctually. Failure to do so could result in legal action being taken against them by the Local Authority.

The register is a legal document and schools must, under the Education (Student Registration) Regulations 2006 take a register at the start of the morning session, and again during the afternoon session.

Under the Education (Student Registration) Regulations 2006, only the school (and not parents/guardians) can authorise an absence. Where the reason for a student's absence cannot be established at the time the register is taken, that absence shall be recorded as unauthorised. If a reason for absence is provided by the parent/carer, the school may decide to authorise the absence using the appropriate code.

At Hedingham School, 'exceptional circumstances' will be interpreted as being of unique and significant emotional, educational or spiritual value to the child which outweighs the loss of teaching time. The fundamental principles for defining 'exceptional' are events that are rare, significant, unavoidable and short. By unavoidable, we mean an event that could not reasonably be scheduled at another time.

The Education (Student Registration) (England) Regulations 2013 have removed all references to family holidays and leave of absence shall not be granted unless an application had been made in advance and the headteacher considers that leave of absence should be granted due to exceptional circumstances. **Headteachers no longer have the discretion to authorise up to 10 days of absence.** This discretion has been removed by the aforementioned Regulations (2013). Whilst the headteacher will consider requests on a case by case basis, parents/guardians must be aware that requests will normally be refused.

We will not consider applications for leave during term time:

- At any time in September. This is very important as your child needs to settle into their new school year
- During assessment periods in the school's calendar affecting your child
- When a student's attendance record already includes any level of unauthorised absence or they have already been granted authorised leave within the academic year

If a student is absent without a leave request having been agreed, the absence will be recorded as unauthorised. This may result in the Local Authority issuing a Penalty Notice, in line with the Essex Code of Conduct (£120 per parent, per child/£60 if paid within 21 days). Parents/Guardians who chose not to pay the fine(s) within relevant time frames could face legal action in the Magistrates Court.

In compliance with section 436A of the Education Act 1996, the school will, after making appropriate checks, report any student who is believed to be "missing from education" to the Local Authority (LA). The LA has a duty to investigate the whereabouts of such children and negotiate their prompt return to suitable education.

ROLES, RESPONSIBILITIES AND PROCEDURES

School

- At Hedingham School an electronic registration system is in place. Student attendance is recorded for every lesson.
- Students will be registered at the beginning of each morning by the teacher. Afternoon registration takes place at the beginning of period 4 and is recorded by the class teacher. Students arriving after these times will be recorded as late and appropriate interventions will be put in place in line with our Behaviour Policy.
- The School through the Attendance Officer operates a First Day Contact absence text by which parents/guardians will be contacted after morning registration if the student is marked absent and no message has been received.
- Unless a temporary reduced programme has been formally agreed by the school, it is the legal responsibility of parents/guardians to ensure that their child attends all lessons and Personal Development time in order to satisfy the full National Curriculum.
- Parents/guardians will be informed if their child has been identified as truanting from school. A Truancy/Punctuality Report Card may be issued to monitor the student and sanctions applied in the form of detention or removal from class to the Isolation room. Persistent cases of truancy will be referred to the [Local Authority](#) who may consider issuing a Penalty Notice (see School Attendance and Law). There is a robust procedure in place to support student safety should they be missing from lessons.
- The school Attendance Officer will identify any students whose attendance is of concern. These students will, where appropriate, be brought to the attention of Year Leaders. This will trigger an Attendance Support Plan. Similar to our Mental Health Support Plan and Behaviour Support Plan, the aim of any such plan is to provide a range of structured interventions for any individual to help support them in overcoming any barriers to attending school.

These interventions may involve:

- RAG (red/ amber/ green) rate timetables
 - Attendance Success Plans
 - Meetings with individual student
 - Contact with parents/guardians via telephone and letters
 - Referral to other agencies where applicable for support
 - Issue of a Legal Warning Letter
 - Referral to [Local Authority](#) for Legal Action
- A reintegration programme will be planned in conjunction with Year Leaders for any student following a period of prolonged absence. This could include a part-time timetable involving a late start or early finish to the school day. Student peer support will be offered through the use of a buddying system.
 - Recognition systems:
Excellent attendance will be encouraged by all staff. Good attendance and punctuality will be promoted through Year Leaders emphasising that there is a clear link between excellent attendance and higher academic achievement. Good time-keeping is a vital life skill which will help students as they progress through their school life and out into the wider world. Students will be recognised and praised for their attendance throughout the academic year.

Parents/Guardians

- It is the responsibility of parents/guardians to ensure that their child attends full time education and arrives at school on time. Regular attendance to school is vital for academic success, school would like all students to aim for 100% attendance.
- If their child is absent, parents should:
 - inform the school by telephone on the first day of absence and if possible give the expected day of return. If the return date is unknown, parents should contact the school every day by 8.40 am
 - keep the school informed especially if the return date alters
 - If a child has been absent to attend a medical appointment (hospital, doctors, dentist etc), evidence in the form of an appointment letter or card should be provided so that the school is able to authorise the absence as a medical absence. Every attempt should be made to arrange such appointments out of school hours

where possible. However, if unavoidable in school hours, please could you inform the school of their approximate time of arrival or collection time. Every effort should be made to attend school for the rest of the day. School will be unable to authorise a whole day's absence for a routine appointment

- It is not acceptable for children to be absent for reasons such as:
 - Minding the house
 - Looking after younger children
 - Celebrating a birthday
 - No uniform
 - Slept late
 - Missed transport
 - Not enjoying a certain subject
- Parents/Guardians do not have the right for their child to have leave of absence in term time for the purposes of a holiday of any length. Approval must be sought from the school in advance using the appropriate form which is available from the school office.
- If a child is reported absent due to illness and it subsequently comes to light that they were in fact on holiday, a Penalty Notice can be issued through the Local Authority.
- Penalty notices may be issued for irregular school attendance where there have been at least 10 sessions of unauthorised absence during the previous ten school weeks.
- In addition to the above criteria, due to the importance of students settling into school at the commencement of the school year, penalty notices may also be issued if there have been at least 6 consecutive sessions of unauthorised leave of absence during the first two weeks of September.
- There is an expectation that parents/guardians will support the policy of the school and [Local Authority](#) with regard to attendance and work in partnership to resolve any attendance issues.

Students

- There is an expectation that students will arrive on time to school and to all lessons. If they do not, appropriate interventions/sanctions will take place ensuring their lateness is corrected.
- Any student who has an appointment requiring them to leave during the school day must provide written evidence which will be verified by the tutor/House Leader before the student is allowed to sign out of school at the school office.
- Year 11 students wishing to leave the school site at lunch time must sign out with the appropriate member of staff on duty. Prior permission must be gained from parents in writing.
- Students that feel unwell during the school day should speak to their teacher who will provide a note allowing them to leave class. Students should report to reception where their details are logged and be seen by the Medical Officer. Parents will be contacted to collect their child should that be felt necessary. Should the student contact a parent directly, avoiding the medical room the remainder of the school day may be marked as unauthorised.

Lateness

Poor punctuality is not acceptable and can contribute to further absence. Good time-keeping is a vital life skill which will help children as they progress through school and out into the wider world.

Students who arrive late disrupt lessons and feel unsettled and embarrassed. Students miss valuable work and important messages from their class teacher.

The times of the start and close of the school day for all pupils at Hedingham School are:

- Registration starts: 8.40am
- Registration closes: 9.10am

- End of the school day: 3.15pm

How we manage lateness:

- Registers are taken at **8.40am** and your child will receive a late mark 'L' if they are not in by that time.
- At **9.10am** the registers will be closed. In accordance with the Regulations, if your child arrives after that time, they will receive a mark that shows them to be on site - 'U', but this will **not** count as a present mark, and it will mean they have an unauthorised absence
- The school may contact parents/guardians regarding lateness
- From time to time a member of school staff will undertake a 'Late Gate' check, greeting late arrivals at the main entrance to the school

Unauthorised lateness could result in the school referring to the Local Authority for sanctions and/or legal proceedings. If your child has a persistent late record, you will be asked to meet with a member of staff but you can approach us at any time if you are having difficulties getting your child to school on time. We expect parents and staff to encourage good punctuality by being good role models to our children and celebrate good class and individual punctuality.

Persistent Absenteeism (PA)

A student is defined by the Government as a 'persistent absentee' when they miss 10% or more schooling across the school year for whatever reason. Absence at this level will cause considerable damage to any child's education and we need a parent/guardian's fullest support and co-operation to tackle this.

Local Authority

If the work of parents/guardians and school staff does not achieve improvements in a student's attendance levels, a referral may be made to an external agency.

The school may refer a student to the Local Authority where attendance remains a concern and where no valid reasons for absence have been identified/evidenced. If attendance fails to improve, legal action may be taken against parents/guardians and could include a Penalty Notice, Education Supervision Order or Prosecution.

Children Missing in Education due to a Reduced Educational Offer

A reduced educational offer means an agreement is made with the student and parent/guardians, to reduce the number of hours spent in education for a time limited period.

Under Section 7 Education Act 1996, the parent of every child of compulsory school age shall cause him to 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 or otherwise

If the school makes a decision to temporarily reduce a student's timetable, it will be in full consultation and agreement with the student and parents/guardians with a clear time frame and desired educational outcomes.

The school is mindful that it is illegal to discriminate against students based on their SEN and/or disability, including those with social, emotional and health needs.

The school is also aware that when a student is not in school, their vulnerability is increased.

When deciding whether a reduced educational offer is appropriate, the school will complete a risk assessment where the highest consideration will be given to the welfare and safety of the student in line with Keeping Children Safe in Education (DfE 2021) which identifies schools as part of the wider safeguarding system for children.

Reduced Educational Provision (part time or reduced timetables) should only be considered:

1. As part of a planned re-integration into school following an extended period out of school due to exclusion, non-attendance, school refusal or to facilitate a managed transfer between schools.

2. As a temporary fixed-term, closely monitored intervention to address and manage the impact of significantly challenging behaviour or emotional or social needs, whilst alternative arrangements are being made to meet the individual needs or to co-ordinate with intervention or other services.

3. In limited circumstances reduced educational provision may also be used as a method of managing student's at risk of exclusion. Essex County Council regards reduced educational provision as the last resort and least desirable method of managing students at risk of exclusion. This 'intervention' is viewed as highly intrusive and may only be chosen, if at all, after other strategies have been implemented and exhausted and the Best Practice Guidance is adhered to.

A reduced educational provision must not be treated as a long-term solution to a problem.

The agreement must have a time limit by which point the student is expected to attend full-time or be provided with alternative provision.

- Is taken in the best interests of the child and attracts the understanding, approval and agreement of parents/guardians or in the case of a Looked After Child, the allocated social worker;
- Has as its principal purpose the successful reinstatement of the student's full-time school attendance, re-integration and inclusion;
- Is undertaken within the context of person centred planning. Plans should include liaison with the child and take into account the facilities to support the re-integration process, and outreach support where available.
- Complies with the health and safety needs of the student, i.e. the school is satisfied that suitable arrangements are in place to meet the student's care needs when not at school;
- Complies with the statutory responsibility for safeguarding and promoting the welfare of students;
- Provides appropriate work for the student when not in school which is then marked and relevant feedback provided;
- Is time limited, with a clear target of resuming full-time attendance within a period no longer than 6-8 weeks, preferably over a period in which the time in school increases steadily and incrementally in order to prevent further disaffection;
- Ensures reviews are held at the appropriate time for all students with a Statement of SEN or EHCPs

Flexi-Schooling

It is the decision of the Headteacher as to whether the school is willing to enter into an agreement with a parent/guardian with regards to flexi-schooling.

Considerations when considering flexi-schooling

Aside from the impact that a flexi-schooling arrangement will have on a school's overall absence levels, the implications of agreeing partial educational provision at home are significant both in terms of expertise and resources and in the commitment to make a shared provision work. The education provided at home and school should, together, constitute a full-time, suitable education.

Whilst there is no statutory curriculum for the home education part of a flexi-schooling arrangement, parents/guardians will need to be mindful of the impact on the child's access to the school curriculum and the possible fragmentation of the learning experience.

Flexi-schooling is unlikely to be successful if the reasons for choosing it are negative and the choice is motivated by the desire to avoid difficulties around certain subjects, teachers, and peers or aspects of school discipline or attendance itself.

Flexi-schooling should not be seen as a means of opting out of an element of the curriculum with which a student, for whatever reason, is uncomfortable. The student may find that their limited attendance makes it difficult to maintain strong relationships with peers and may experience an element of social exclusion. If a student moves to a different school, there will be no guarantee that flexi-schooling will be able to continue. This will be a decision that the Headteacher of the new school will be required to make.

The child cannot be dis-applied from the statutory curriculum or assessment arrangements simply because flexible attendance has been agreed. When the curriculum is delivered through cross-curricular activities, arrangements made with the parent/carer would need to protect the cohesion of the student's experience. There may be resource implications; effective co-ordination will require time and, although there is no obligation to do so, the school may well decide that it will need to provide materials so that learning can keep pace with that of other children.

Arrangements for flexi-schooling may make both the identification of SEN and the ability to meet those needs more difficult to secure. Effective assessment would need to take place across both the school and home-schooling elements of the child's education and so could present logistical challenges.

Flexi-schooling for children with an Education, Health and Care Plan

Where a child has an Education Health and Care Plan (EHCP) the decision to agree flexi-schooling must be taken in conjunction with the local authority (LA). Where flexi-schooling is agreed for a child with an EHCP this will be recorded on the EHCP and progress monitored through the usual annual review process.

The school receives full funding for flexi-schooled students and they must be included on all census returns. The responsibility for the flexi-school arrangement lies with the school and not the LA. The school will work with parents to address any issues which arise.

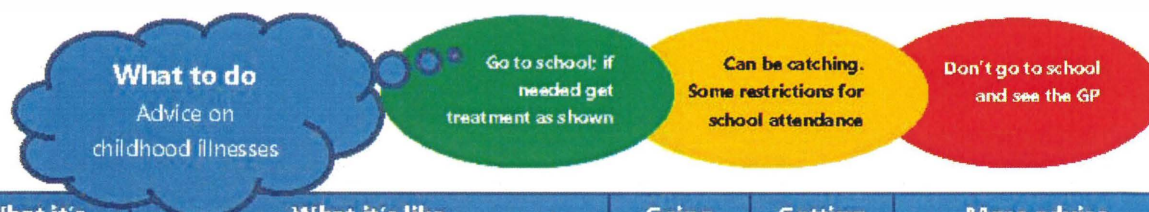
EVALUATION AND REVIEW

The school will review this policy annually and update accordingly to include changes in the law and guidance on good practice. The policy will be promoted throughout the school community and shared with outside agencies and partners as required.

USEFUL INFORMATION FOR PARENTS

Is my child too ill for school?

<https://www.nhs.uk/live-well/healthy-body/is-my-child-too-ill-for-school/?tabname=body>



What it's called	What it's like	Going to school	Getting treatment	More advice
Chicken Pox	Rash begins as small, red, flat spots that develop into itchy fluid-filled blisters	●	Pharmacy	Back to school 5 days after on-set of the rash
Common Cold	Runny nose, sneezing, sore throat	●	Pharmacy	Ensure good hand hygiene
Conjunctivitis	Teary, red, itchy, painful eye(s)	●	Pharmacy	Try not to touch eye to avoid spreading
Flu	Fever, cough, sneezing, runny nose, headache body aches and pain, exhaustion, sore throat	●	Pharmacy	Ensure good hand hygiene
German measles	Fever, tiredness. Raised, red, rash that starts on the face and spreads downwards.	●	G.P.	Back to school 6 days from on-set of rash
Glandular fever	High temperature, sore throat; usually more painful than any before and swollen glands	●	G.P.	Child needs to be physically able to concentrate
Hand, foot & mouth disease	Fever, sore throat, headache, small painful blisters inside the mouth on tongue and gums (may appear on hands and feet)	●	G.P.	Only need to stay off ill feeling too ill for school
Head lice	Itchy scalp (may be worse at night)	●	Pharmacy	
Impetigo	Clusters of red bumps or blisters surrounded by area of redness	●	G.P.	Back to school when lesions crust or 48 hours after start of antibiotics
Measles	Fever, cough, runny nose, and watery inflamed eyes. Small red spots with white or bluish white centres in the mouth, red, blotchy rash	●	G.P.	Back to school 4 days from on-set of rash
Ringworm	Red ring shaped rash, may be itchy rash may be dry and scaly or wet and crusty	●	G.P.	
Scabies	Intense itching, pimple – like rash Itching and rash may be all over the body but commonly between the fingers, wrists, elbows, arm	●	G.P.	Back to school after first treatment
Shingles	Pain, itching, or tingling along the affected nerve pathway. Blister-type rash	●	G.P.	Only stay off school if rash is weeping and cannot be covered
Sickness bug/diarrhoea	Stomach cramps, nausea, vomiting and diarrhoea	●	Pharmacy	See GP if symptoms persist after 48 hours
Threadworms	Intense itchiness around anus	●	Pharmacy	Ensure good hand hygiene
Tonsillitis	Intense Sore throat	●	Pharmacy	See GP if temperature lasts more than 48 hours or cannot swallow
Whooping cough	Violent coughing, over and over, until child inhales with "whooping" sound to get air into lungs	●	G.P.	Back to school after 5 days of antibiotics or 21 days from onset of illness

See www.patient.co.uk for further information on each of these conditions

This leaflet has been produced in partnership between



This information is a guide and has been checked by health professionals however, if you are unsure about your child's wellbeing we recommend you contact your pharmacist or GP to check

A Rough Guide to Education Missed

TERM 1

September — October 1/2 term			
Percentage Attendance	Hours of education lost	Weeks missed at school	School days missed
100%	0	0	0
97%	5	0	1
95%	10	0	2
90%	17.5	0	3.5
86%	25	1	5
80%	35	1wk 2dys	7
75%	45	1wk 4dys	9
70%	52.5	2wks 1/2dy	10.5
60%	70	2wks 4dys	14
50%	87.5	3wks 2.5dys	17.5

September — Christmas Break			
Percentage Attendance	Hours of education lost	Weeks missed at school	School days missed
100%	0	0	0
97%	10	0	2
95%	17.5	0	3.5
90%	35	1wk 2dys	7
86%	50	2wks	10
80%	70	2wks 4dys	14
75%	87.5	3wks 2.5dys	17.5
70%	105	4wks 1dy	21
60%	140	5wks 3dys	28
50%	175	7wks	35

TERM 2

September — February 1/2 term			
Percentage Attendance	Hours of education lost	Weeks missed at school	School days missed
100%	0	0	0
97%	15	0	3
95%	25	1wk 1dy	5
90%	50	2wks	10
86%	70	2wks 4dys	14
80%	100	4wks	20
75%	125	5wks	25
70%	145	5wks 4dys	29
60%	194.5	7wks 4.5dys	39.5
50%	247.5	9wks 4.5dys	49.5

September — Easter Break			
Percentage Attendance	Hours of education lost	Weeks missed at school	School days missed
100%	0	0	0
97%	20	0	4
95%	30	1wk 1dy	6
90%	65	2wks 3dys	13
86%	90	3wks 3dys	18
80%	125	5wks	25
75%	160	6wks 2dys	32
70%	190	7wks 3dys	38
60%	257 1/2	10wks 1.5 dys	51.5
50%	322 1/2	12wks 4.5 dys	64.5

TERM 3

September — May 1/2 Term			
Percentage Attendance	Hours of education lost	Weeks missed at school	School days missed
100%	0	0	0
97%	25	1wk	5
95%	40	1wk 3dys	8
90%	80	3wks 1dy	16
86%	110	4wks 2 s	22
80%	160	6wks 2dys	32
75%	205	8wks 1dy	41
70%	245	9wks 4dys	49
60%	325	13wks	65
50%	407.5	16wks 1.5dys	81.5

September — Summer Break			
Percentage Attendance	Hours of education lost	Weeks missed at school	School days missed
100%	0	0	0
97%	30	1wk 1dy	6
95%	50	2wks	10
90%	95	3wks 4dys	19
86%	135	5wks 2dys	27
80%	195	7wks 4dys	39
75%	242.5	9wks 3.5dys	48.5
70%	290	11wks 3dys	58
60%	390	15wks 3dys	78
50%	485	19wks 3dys	97

Education Missed Per Half-term



Department
for Education

Summary table of responsibilities for school attendance

**Guidance for maintained schools,
academies, independent schools, and
local authorities**

Published: May 2022

Applies from: September 2022

Contents

About this document	3
All pupils	4
Pupils at risk of becoming persistently absent	5
Persistently absent pupils	6
Severely absent pupils	7
Support for cohorts of pupils with lower attendance than their peers	8
Support for pupils with medical conditions or SEND with poor attendance	9
Support for pupils with a social worker	10
Monitoring	11

About this document

This document summarises the attendance responsibilities for parents, schools, academy trusts and governing bodies, and local authorities which are outlined in the *Working together to improve school attendance* guidance.

This is guidance from the Department for Education (DfE). This guidance is non-statutory, and has been produced to help schools, trusts, governing bodies, and local authorities maintain high levels of school attendance. Following public consultation earlier this year, and subject to Parliament, the Secretary of State has committed to this guidance becoming statutory when parliamentary time allows (this will be no sooner than September 2023).

The guidance should be read alongside the statutory guidance documents on parental responsibility measures, children missing education, supporting pupils at school with medical conditions, suspensions and exclusions, alternative provision, and safeguarding.

All pupils

Parents are expected to:	Schools are expected to:	Academy trustees and governing bodies are expected to:	Local authorities are expected to:
<p>Ensure their child attends every day the school is open except when a statutory reason applies.</p> <p>Notify the school as soon as possible when their child has to be unexpectedly absent (e.g. sickness).</p> <p>Only request leave of absence in exceptional circumstances and do so in advance.</p> <p>Book any medical appointments around the school day where possible.</p>	<p>Have a clear school attendance policy on the school website which all staff, pupils and parents understand.</p> <p>Develop and maintain a whole school culture that promotes the benefits of good attendance.</p> <p>Accurately complete admission and attendance registers.</p> <p>Have robust daily processes to follow up absence.</p> <p>Have a dedicated senior leader with overall responsibility for championing and improving attendance.</p>	<p>Take an active role in attendance improvement, support their school(s) to prioritise attendance, and work together with leaders to set whole school cultures.</p> <p>Ensure school leaders fulfil expectations and statutory duties.</p> <p>Ensure school staff receive training on attendance.</p>	<p>Have a strategic approach to improving attendance for the whole area and make it a key focus of all frontline council services.</p> <p>Have a School Attendance Support Team that works with all schools in their area to remove area-wide barriers to attendance.</p> <p>Provide each school with a named point of contact in the School Attendance Support Team who can support with queries and advice.</p> <p>Offer opportunities for all schools in the area to share effective practice.</p>

Pupils at risk of becoming persistently absent

Parents are expected to:	Schools are expected to:	Academy trustees and governing bodies are expected to:	Local authorities are expected to:
<p>Work with the school and local authority to help them understand their child's barriers to attendance.</p> <p>Proactively engage with the support offered to prevent the need for more formal support.</p>	<p>Proactively use data to identify pupils at risk of poor attendance.</p> <p>Work with each identified pupil and their parents to understand and address the reasons for absence, including any in-school barriers to attendance.</p> <p>Where out of school barriers are identified, signpost and support access to any required services in the first instance.</p> <p>If the issue persists, take an active part in the multi-agency effort with the local authority and other partners. Act as the lead practitioner where all partners agree that the school is the best placed lead service. Where the lead practitioner is outside of the school, continue to work with the local authority and partners.</p>	<p>Regularly review attendance data and help school leaders focus support on the pupils who need it.</p>	<p>Hold a termly conversation with every school to identify, discuss and signpost or provide access to services for pupils who are persistently or severely absent or at risk of becoming so.</p> <p>Where there are out of school barriers, provide each identified pupil and their family with access to services they need in the first instance.</p> <p>If the issue persists, facilitate a voluntary early help assessment where appropriate. Take an active part in the multi-agency effort with the school and other partners. Provide the lead practitioner where all partners agree that a local authority service is best placed to lead. Where the lead practitioner is outside of the local authority, continue to work with the school and partners.</p>

Persistently absent pupils

Parents are expected to:	Schools are expected to:	Academy trustees and governing bodies are expected to:	Local authorities are expected to:
<p>Work with the school and local authority to help them understand their child's barriers to attendance.</p> <p>Proactively engage with the formal support offered – including any parenting contract or voluntary early help plan to prevent the need for legal intervention.</p>	<p>Continued support as for pupils at risk of becoming persistently absent and:</p> <p>Where absence becomes persistent, put additional targeted support in place to remove any barriers. Where necessary this includes working with partners.</p> <p>Where there is a lack of engagement, hold more formal conversations with parents and be clear about the potential need for legal intervention in future.</p> <p>Where support is not working, being engaged with or appropriate, work with the local authority on legal intervention.</p> <p>Where there are safeguarding concerns, intensify support through statutory children's social care.</p> <p>Work with other schools in the local area, such as schools previously attended and the schools of any siblings.</p>	<p>Regularly review attendance data and help school leaders focus support on the pupils who need it.</p>	<p>Continued support as for pupils at risk of becoming persistently absent and:</p> <p>Work jointly with the school to provide formal support options including parenting contracts and education supervision orders.</p> <p>Where there are safeguarding concerns, ensure joint working between the school, children's social care services and other statutory safeguarding partners.</p> <p>Where support is not working, being engaged with or appropriate, enforce attendance through legal intervention (including prosecution as a last resort).</p>

Severely absent pupils

Parents are expected to:	Schools are expected to:	Academy trustees and governing bodies are expected to:	Local authorities are expected to:
<p>Work with the school and local authority to help them understand their child's barriers to attendance.</p> <p>Proactively engage with the formal support offered – including any parenting contract or voluntary early help plan to prevent the need for legal intervention.</p>	<p>Continued support as for persistently absent pupils and:</p> <p>Agree a joint approach for all severely absent pupils with the local authority.</p>	<p>Regularly review attendance data and help school leaders focus support on the pupils who need it.</p>	<p>Continued support as for persistently absent pupils and:</p> <p>All services should make this group the top priority for support. This may include a whole family plan, consideration for an education, health and care plan, or alternative form of educational provision.</p> <p>Be especially conscious of any potential safeguarding issues, ensuring joint working between the school, children's social care services and other statutory safeguarding partners. Where appropriate, this could include conducting a full children's social care assessment and building attendance into children in need and child protection plans.</p>

Support for cohorts of pupils with lower attendance than their peers

Parents are expected to:	Schools are expected to:	Academy trustees and governing bodies are expected to:	Local authorities are expected to:
Not applicable.	<p>Proactively use data to identify cohorts with, or at risk of, low attendance and develop strategies to support them.</p> <p>Work with other schools in the local area and the local authority to share effective practice where there are common barriers to attendance.</p>	Regularly review attendance data and help school leaders focus support on the pupils who need it.	Track local attendance data to prioritise support and unblock area wide attendance barriers where they impact numerous schools.

Support for pupils with medical conditions or SEND with poor attendance

Parents are expected to:	Schools are expected to:	Academy trustees and governing bodies are expected to:	Local authorities are expected to:
<p>Work with the school and local authority to help them understand their child's barriers to attendance.</p> <p>Proactively engage with the support offered.</p>	<p>Maintain the same ambition for attendance and work with pupils and parents to maximise attendance.</p> <p>Ensure join up with pastoral support and where required, put in place additional support and adjustments, such as an individual healthcare plan and if applicable, ensuring the provision outlined in the pupil's EHCP is accessed.</p> <p>Consider additional support from wider services and external partners, making timely referrals.</p> <p>Regularly monitor data for such groups, including at board and governing body meetings and with local authorities.</p>	<p>Regularly review attendance data and help school leaders focus support on the pupils who need it.</p>	<p>Work closely with relevant services and partners, for example special educational needs, educational psychologists, and mental health services, to ensure joined up support for families.</p> <p>Ensure suitable education, such as alternative provision, is arranged for children of compulsory school age who because of health reasons would not otherwise receive a suitable education.</p>

Support for pupils with a social worker

Parents are expected to:	Schools are expected to:	Academy trustees and governing bodies are expected to:	Local authorities are expected to:
<p>Work with the school and local authority to help them understand their child's barriers to attendance.</p> <p>Proactively engage with the support offered.</p>	<p>Inform the pupil's social worker if there are any unexplained absences and if their name is to be deleted from the register.</p>	<p>Regularly review attendance data and help school leaders focus support on the pupils who need it.</p>	<p>Regularly monitor the attendance of children with a social worker in their area.</p> <p>Put in place personal education plans for looked-after children.</p> <p>Secure regular attendance of looked-after children as their corporate parent and provide advice and guidance about the importance of attendance to those services supporting pupils previously looked after.</p>

Monitoring

Parents:	Schools:	Academy trustees and governing bodies:	Local authorities:
Schools regularly update parents on their child's attendance.	Ofsted considers schools' efforts to improve or sustain high attendance as part of inspections. Multi-academy trusts regularly review attendance data and support schools.	DfE Regions Group considers multi academy trusts' efforts on attendance as part of decision making. Ofsted considers governing bodies' efforts as part of inspections.	DfE Regions Group monitors local authority efforts as part of regular interaction.



Department
for Education

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**ESSEX CODE OF CONDUCT
PENALTY NOTICES FOR PARENTS OF TRUANTS AND PARENTS
OF PUPILS
EXCLUDED FROM SCHOOL
ANTI-SOCIAL BEHAVIOUR ACT 2003 SECTION 23**

The purpose of this local code of conduct is to ensure that the powers are applied consistently and fairly across the Local Authority area to all Essex residents.

The Government requires Local Authorities to issue a code of conduct and any persons issuing Penalty Notices to a parent¹ must do so in accordance with this protocol. Essex County Council is legislatively responsible for administering the Penalty Notice scheme and will do so in accordance with a number of legislative and non-legislative requirements.

The Essex code has been agreed following consultation with;

- Essex County Council representatives – Attendance Compliance Team and Essex Legal Services.
- Representatives from Governing Bodies and Head Teachers of Essex Schools
- Essex Police
- Persons accredited under Essex Police's Community Safety Accreditation Scheme (CSAS)

The Code of Conduct is in accordance with the following legislation;

LEGISLATIVE FRAMEWORK FOR EDUCATION PENALTY NOTICES
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The legal framework governing school attendance and the responsibilities of parents of excluded pupils, schools and the LA is set out in a succession of acts, regulations and other guidance.

Education Act 1996

Under Section 7 of the Act: the parent is responsible for making sure that their child of compulsory school age receives efficient full time education that is suitable to the child's age, ability and aptitude and to any special educational needs that the child

¹ All those defined as a parent under Section 576 Education Act 1996 are parents for the purpose of these provisions. This means that all natural parents, whether they are married or not; any person who, although not a natural parent, has parental responsibility (as defined in the Children Act 1989) for a child or young person; and 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. Parent means each and every parent 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. As with prosecutions under Section 444 Education Act 1996 a penalty notice may be issued to each parent liable for the offence.

may have, this can be by regular attendance at school, or otherwise (the parent can choose to educate their child themselves). If it appears to the LA that a child of compulsory school age is not receiving a suitable education, either by regular attendance at school or otherwise then they must begin procedures for issuing a School Attendance Order under Section 437 of the Education Act 1996.

If a child of compulsory school age who is registered at a school fails to attend the school regularly the parent is guilty of an offence under Section 444(1) of the Education Act 1996. In addition, if it can be proved that a parent knew of the child's non-attendance and failed to act, then they may be found guilty under Section 444(1A). This offence (known as the higher or aggravated offence) can lead to a warrant being issued compelling a parent to attend court and conviction may result in a higher level fine and/or a custodial sentence.

On 6 April 2017, in the case of *Isle of Wight Council v Platt* [2017] UKSC 28, the Supreme Court ruled that the word 'regularly' means 'in accordance with the rules prescribed by the school.'

[Anti-social Behaviour Act 2003](#)

<http://www.legislation.gov.uk/ukpga/2003/38/contents>

The Act added two new sections (444A and 444B) to the Education Act. It introduced penalty notices as an alternative to prosecution under Section 444; the issuing of penalty notices is governed by:

- The Education (Penalty Notices) (England) Regulations 2007
- The Education (Penalty Notices) (England) (Amendment) 2013

<http://www.legislation.gov.uk/uksi/2013/757/contents/made>

[Children Act 1989](#)

<http://www.legislation.gov.uk/ukpga/1989/41/section/36>

[Crime and Disorder Act 1998](#)

<https://www.legislation.gov.uk/ukpga/1998/37/section/16>

[Education and Inspections Act 2006](#)

<http://www.legislation.gov.uk/ukpga/2006/40/contents>

[The Education \(Pupil Registration\) \(England\) Regulations 2006 \(Amended 2013\)](#)

<http://www.legislation.gov.uk/uksi/2013/756/regulation/2/made>

AUTHORISATION TO ISSUE PENALTY NOTICES

Primary responsibility for issuing penalty notices rests with the Local Authority (LA). It has been agreed that the Attendance Compliance Team, on behalf of Essex LA, will usually issue penalty notices. The Service will administer the scheme from any funds obtained as a result of issuing penalty notices.

Head Teachers (and Deputy Head Teachers and Assistant Head Teachers authorised by the head teacher) and police, and persons accredited by the community safety accreditation scheme are all able to issue the notices under the Act, although there is no requirement for them to do so.

In Essex it has been agreed that the Police and Head Teachers will not issue penalty notices to parents. Persons accredited through the Community Safety Accreditation Scheme² are authorised to do so.

CIRCUMSTANCES IN WHICH A PENALTY NOTICE MAY BE ISSUED

Penalty Notices apply to pupils of statutory school age, which commences the term immediately following the child's 5th birthday and finishes on the last Friday in June of school year in which they turn 16.

Penalty notices will only be issued as a conclusion to a series of processes and when all attempts to address school attendance matters have been unsuccessful. If a previous Penalty Notice has been unsuccessful, rationale and justification should be provided as to why issuing another Penalty Notice would improve the attendance of the student. If schools are not aware of any previous or current legal interventions they must email attendancecompliance@essex.gov.uk. A response will be sent within 3 working days.

Parents cannot be penalised more than once for the same period of absence.

Domestic and European legislation and case law makes it clear that when serving a formal Notice in criminal proceedings, the recipient must be clearly and unambiguously identified. For the Purpose of issuing a Penalty Notice under this Code, the parent's first and last name must be cited on the Notice and any covering letter.

Essex partners have agreed to use Penalty Notices for the following circumstances however the offence under s444 Education Act 1996 is the same whether issued for unauthorised leave of absence (ULA) or irregular school attendance (ISA):

Penalty notices for unauthorised leave of absence (ULA)³

Penalty Notices may be issued where there have been at least 10 consecutive sessions of unauthorised absence for the purpose of a holiday, whereby a parent

² Accredited companies at time of this publication are Attendance Solutions Essex, Aquinas School Attendance Provisions and NEMAT Support Services

³ Truancy/unauthorised/irregular school attendance refers to absence from school without permission or good reason and the absence is unauthorised by the school.

made an application to the School which the Head Teacher has deemed not for exceptional circumstances. In addition, a Penalty Notice may also be issued, whereby the parent did not submit a leave of absence request, however the school have reason to believe the absence was for the purpose of a holiday and should not be authorised as parent has not provided any additional evidence which the Head Teacher deems appropriate to support the absence.

In addition to the above criteria, due to the importance of pupils settling into school at the commencement of the school year, Penalty Notices may also be issued if there have been at least 6 consecutive sessions of unauthorised absence during the first two weeks of September due to a term-time holiday.

The Local Authority requests that for Penalty Notices to be issued, parents must be duly warned of the legal ramifications under separate cover if they remove their child from school for the purpose of a holiday. Schools/Academies must reference the use of Penalty Notices within their Attendance Policy which must be available to all parents/carers online and/or in hard copy within the school, accessible to parents to read. Schools should remind parents of the protocol regarding leave of absence during term time.

Penalty Notices for Irregular School Attendance (ISA)

Penalty Notices may be issued where there has been at least 10 sessions of unauthorised absence during the previous 10 school weeks.

Parents must have been issued with a Legal Action Warning Letter with accompanying Legal fact sheet and given opportunities to inform the school of any factors impacting on their ability to ensure their child attends school regularly. Warning letters are valid for 18 calendar weeks.

The Local Authority advises that the following template is used for irregular school attendance referrals as this has been specifically designed to enable the progression of cases if appropriate. This letter must be on headed paper from the school or accredited persons issuing the notice. The legal fact sheet must be included

[https://schools.essex.gov.uk/pupils/Attendance Compliance/Documents/Legal%20Action%20Warning%20Letter%20for%20schools.docx](https://schools.essex.gov.uk/pupils/Attendance%20Compliance/Documents/Legal%20Action%20Warning%20Letter%20for%20schools.docx) .

Failure to adequately issue warning to parents may result in the Penalty Notice being withdrawn or not issued.

All penalty notice referrals or notifications from Accredited Persons must be sent via Essex County Council's online portal and all relevant pre-referral work in accordance with the Local Authority requirements must be uploaded alongside the referral/notification.

The Local Authority must be satisfied that the substantive offence in accordance with s.444 Education Act 1996 has been committed prior to issuing a Penalty Notice.

Evidence of attempts to address attendance concerns within the previous 8 weeks prior to requesting or notifying of a Penalty Notice must be submitted. Satisfactory evidence includes letters, notes of home visits, meetings, telephone calls etc.

N.B. for ULA and ISA PN's consideration should always be given to whether it is appropriate to issue to absent parents.

Number of Penalty Notices which can be issued for Irregular school attendance/unauthorised leave of absence

Discretion will be used to enable up to two penalty notices to be issued to each parent for each child within a twelve month period. If the law continues to be broken around school attendance the Attendance Compliance Team may instigate legal proceedings.

Number of Penalty Notices which can be issued for pupils identified during a school attendance and exclusion sweep

School attendance and exclusion sweeps take place in Essex and children stopped are often with parents condoning the absence.

If the Head Teacher has not authorised the absence of a pupil stopped by a Local Authority Officer and Police Officer on a sweep and there has been at least 9 unauthorised absences for that pupil during the preceding 10 schools weeks, school will issue a legal action warning letter to the parent within 14 days. If there are any further unauthorised absences, during the following 18 calendar weeks a referral to the Attendance Compliance Team may be submitted for a Penalty Notice to be issued.

Essex will issue no more than two penalty notices to a parent in a twelve month period for pupils identified on a school attendance and exclusion sweep. If the law continues to be broken around school attendance the Attendance Compliance Team will instigate legal proceedings.

Excluded children

When a child is excluded from school, the parent will be responsible for ensuring that their child is not found in a public place during normal school hours on the first five days of each and every fixed period or permanent exclusion. (Section 103 Education and Inspections Act)

The excluding school must have notified the parent informing them of their duty and warning that a penalty notice could be issued.

Where there is more than one person liable for the offence, a separate penalty notice may be issued to each person.

Where a pupil is present in a public place in the first five days of a fixed period exclusion the Essex Local Authority would issue a penalty notice if the school is in

their area. Where the child has been permanently excluded, it would be the authority where the child resides.

Number of penalty notices which can be issued for exclusion

Essex will issue a maximum of 2 penalty notices per parent for each child during a 12 month period.

Number of penalty notices which can be issued for unauthorised leave of absence

Essex will issue no more than two penalty notices to a parent in a twelve month period for unauthorised leave of absence. If the law continues to be broken around school attendance, the Attendance Compliance Team will consider further legal interventions.

PAYMENT OF PENALTY NOTICE

The penalty for each parent issued with a Penalty Notice is £120 for each child, however if paid within 21 days of receipt of the notice, it is reduced to £60. (Service by post is deemed to have been effected, unless the contrary is proved, on the second working day after posting the notice by first class post).

All penalties are paid to the LA and revenue generated is retained to administer the system and contribute towards s444 prosecutions following the non-payment of the Penalty Notice.

If the penalty is not paid in full by the end of the 28 day period, the Attendance Compliance Team will either prosecute for the offence to which the notice applies or withdraw the notice. The prosecution is not for non-payment of the notice but is a prosecution for irregular school attendance – Education Act 1996 Section 4441.

There is no statutory right of appeal against the issuing of a penalty notice.

WITHDRAWAL OF PENALTY NOTICE

A penalty notice may be withdrawn by the local authority named in the notice under the following circumstances:

- Where the local authority deems it ought not to have been issued i.e. where it has been issued outside the terms of the local code of conduct or where the evidence does not support the issuing of a penalty notice
- It appears to the local authority that the notice contains material errors
- Where it has been issued to the wrong person named as the recipient.

CO-ORDINATION BETWEEN THE LOCAL AUTHORITY AND ITS LOCAL PARTNERS

The Attendance Compliance Team and its local partners will review this Code of Conduct bi-annually unless local needs require otherwise.

VERSIONS

Original Code of Conduct was introduced in September 2004.

Most recent revision - November 2017

Revised March 2019 for implementation from April 2019

HEDINGHAM SCHOOL – FIRST DAY CALLING AND BEYOND

Step by Step Guide to First Day Calling and beyond

When no reason for absence has been provided by the parent/carers, schools should as a minimum follow the below steps.

Pupils deemed at risk	<p>Pupils deemed at high risk:</p> <ul style="list-style-type: none"> • Children subject to a child protection plan • Looked After children <p>If these children are absent and there has been no contact - notify the key worker within the first 24 hours.</p> <p>School's must notify the Family Operations Hub and / or the Police Child Abuse Investigation Unit immediately if:</p> <ul style="list-style-type: none"> • It is suspected or known that a pupil is at potential risk of harm • There is information that a pupil is, or may be, a victim of criminal activity • At risk of Child Sexual Exploitation (CSE)
Day 1 of absence	<ul style="list-style-type: none"> • Send absent text to parent/carers (if facility to do so) • Telephone parents/carers if a response is not received following the text, leave a message if possible • Record actions on Arbor
Day 2 of absence	<ul style="list-style-type: none"> • Send absent text to parent/carers (if facility to do so) • Telephone parents/carers if a response is not received following the text, leave a message if possible • If no response - telephone all contacts on Arbor, if no answer leave message to return call • If international dialling tone is heard, leave message advising of this and ask for a call back. <ul style="list-style-type: none"> ▪ This may indicate they are on holiday and have not notified the school ▪ If you believe this to be the case, send a 'believe absence is a holiday' letter available on Essex Schools Infolink (ESI). ▪ Letters should be sent separately to both parents first class • Record all actions on Arbor
Day 3 of absence	<ul style="list-style-type: none"> • Send absent text to parent/carers • Telephone parents/carers, if a response is not received following the text leave a message if possible • Telephone all contacts on Arbor, if no answer leave message asking them to return the call • Make home visit - if there is no answer leave calling card and move to next step • Send a letter of concern for absence, first class to all parents/carers and those with day-to-day care • Record all actions on Arbor
Day 4 of absence	<ul style="list-style-type: none"> • Send absent text to parent/carers (if facility to do so) • Telephone parents/carers if a response is not received following the text, if there is no answer, leave a message if possible • Telephone all contacts on Arbor, if no answer leave message to return call

	<ul style="list-style-type: none"> Record all actions on Arbor
Day 5 of absence	<ul style="list-style-type: none"> Telephone parent / carers and leave a message if possible and then follow up with an absence text Telephone all contacts on Arbor, if no answer leave message to return call If you believe this family are not on holiday and are concerned about the child's welfare request a welfare visit from the police Record all actions on Arbor
Day 6 – 8 of absence	<ul style="list-style-type: none"> Send absent text to parent/carers (if facility to do so) Telephone parents/carers if a response is not received following the text, leave a message if possible Telephone all contacts on Arbor, if no answer leave message to return call Either send a further letter or make a further home-visit. If there is no answer leave calling card and move to next step Record all actions on Arbor
Day 9 - 10 of absence	<ul style="list-style-type: none"> Send absent text to parent/carers (if facility to do so) Telephone parents/carers if a response is not received following the text, leave a message if possible Telephone all contacts on Arbor, if no answer leave message to return call If you have not done so already, and you believe the family are not on holiday and are concerned about the child's welfare, request a welfare visit from the police Send a further concern letter separately to both parents / carers by first class post stating: You are making a referral to the Local Authority as their child is now considered Missing from Education Submit the Missing Pupil Checklist on Essex School Info Link, which notifies the Local Authority Children Missing Education Team
Missing Pupil Checklist	<p>Must be completed by the 10 day of absence, when one of the following criteria applies:</p> <ul style="list-style-type: none"> A pupil has gone missing and no contact can be made with parent/carer to establish reason for absence A pupil ceased to attend the school and forwarding address of the family is not known A pupil has not returned from holiday within 10 school days of the expected date of return A pupil fails to take up their place at the start of the academic year and the whereabouts of the young person is unknown <p><u>School must continue investigations, while the Local Authority undertake their investigations.</u></p>
Day 11 - 19 of absence	<ul style="list-style-type: none"> Send absent text to parent/carers (if facility to do so) Telephone parents/carers if a response is not received following the text, leave a message if possible Telephone all contacts on Arbor, if no answer leave message to return the call Make another home visit during this period and leave a calling card Inform parents / carers in writing that their child is at risk of being removed from roll Record all actions on Arbor
Day 20 of absence	<ul style="list-style-type: none"> Send absent text to parent/carers (if facility to do so) Telephone parents/carers if a response is not received following the text, leave a message if possible

	<ul style="list-style-type: none">• Telephone all contacts on Arbor, if no answer leave message to the return call• <u>You cannot remove a child from roll until you have received notification from the Local Authority</u>• Record all actions on Arbor
Coding:	<ul style="list-style-type: none">• These absences must be coded as 'O' for unauthorised absence due to no reason provided from parents/carers