

# BURLINGTON JUNIOR & BURLINGTON INFANT AND NURSERY SCHOOLS

## **POLICY TITLE: Attendance Policy**

**Persons with Responsibility:** Su Yay-Walker, Pip Utting

### **Key Legislation:**

Education Act 1996, Equality Act 2010, DfE (2022) 'Working together to improve school attendance', DfE (2022) 'Keeping children safe in education', DfE (2016) 'Children missing education', DfE (2023) 'Providing remote education'.

### **Documents consulted:**

Kingston's Exclusion Guidance Booklet for Head Teachers, Kingston Model Attendance Policy and Guidelines, School Bus model attendance policy, Fixed Penalty Notices Code of Conduct for School (Feb 2018)

### **Policy History:**

Issue No.	Date	Author	Summary of Changes	Next Review Date
5	Sep 2019	SYW	No changes	Autumn 2021
6	Jan 2020	PU, SYW	Amendments P2,3,5	Spring 2023
7	Nov 2020	SYW	Update	Autumn 2023
8	June 2022	SYW	Update	Summer 2023
9	April 2023	SYW	Updated legal framework, reviewed	Summer 2024

**Approved by Governors at a meeting on :**

**Please refer to signed minutes of this meeting**

### **Equality Statement**

We have carefully considered and analysed the impact of this policy on equality and the possible implications for our stakeholders with protected characteristics, as part of our commitment to meet the Public Sector Equality Duty (PSED) requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations in our community.

# **BURLINGTON JUNIOR, INFANT AND NURSERY SCHOOLS**

## **ATTENDANCE POLICY**

### **Introduction**

Burlington Juniors, Infant and Nursery Schools aim to work together with parents in order to achieve high levels of attendance and punctuality for all children. Regular attendance is crucial to children achieving their full potential in learning, in making friends and feeling more settled and happier in school. We closely follow the Local authority guidelines on attendance.

Regular school attendance is essential for children to make the most of the educational opportunities that are available to them. Good attendance ensures better progress both academically and socially, improves children's future life chances and establishes a positive work ethic early in life.

Poor attendance and punctuality can also be an indicator of a safeguarding issue. Monitoring attendance is a statutory responsibility and part of the safeguarding procedures for our schools and we track attendance and punctuality very closely.

### **Aims**

To promote regular attendance thus offering all children equal access to learning.

### **Parent Responsibility in the Law**

The Education Act 1996, Part 1, Section 7 requires parents and carers to ensure their child receives efficient full time education.

Under current government legislation, all absence figures, together with the reasons for absence have to be reported to the School's Governing Body, the Local Authority (LA), and the Department for Education (DfE).

Parents and carers must ensure that they support the school's attendance policy as any absence will have a large impact on their child's learning. Regular school attendance is essential and parents and carers, together with our school staff have a part to play in ensuring full potential is achieved.

### **The offence of failing to ensure regular school attendance**

If a child of compulsory school age who is registered at a school fails to attend regularly at the school, the parent is guilty of an offence under section 444(1) of the Education Act 1966. Since 2001, a more serious offence has been introduced, which requires proof that the parent was aware of the child's non-attendance and failed to act. Under this higher offence a warrant can be issued compelling a parent to attend court. Prosecution under section 444(1A) can lead to a custodial sentence.

### **Categorisation of absences**

Absences may be categorised as **authorised** in the following circumstances:

- If the school is satisfied that the child is ill

- Any periods of absence (3 days or more) - medical evidence must be provided.
- If the child has to attend an urgent hospital or therapy appointment. Evidence must be provided, and where possible, these should be arranged out of school time
- Where the school is satisfied that unavoidable circumstances prevented attendance, e.g. extreme weather conditions resulting in school closure
- Where there has been a family bereavement - 1 day authorised for the funeral and 1 day authorised for travel.
- Family weddings - 1 day authorised for the wedding and 1 day authorised for travel.
- For 1 agreed day of religious observance
- Where a child has been temporarily excluded.
- Any other **exceptional** reasons [An appointment must be made with the head teacher to discuss this in advance]
- Any applications for a 'Performance Licence' to the Local Authority Educational Welfare Service are not an indication of absences being authorised. With such applications, the child's current overall attendance and attainment will be considered. For a request to be authorised, the child must maintain satisfactory attendance at the time of each request for absence. If a child falls into the Persistent Absent category (PA = attendance below 90%), the request for performance related absence will not be authorised. If all the above requirements are met, a maximum of 1 day's absence in one term may be granted.

Absences will be regarded as **unauthorised** in the following circumstances:

- Where a pupil is absent without prior notification and no explanation is provided for absence
- Where the explanation is unsatisfactory and the absence could have been avoided, e.g. woke up late, or sibling was ill
- Where the school has reason to doubt the validity of parental explanations.
- Where a child is off for 3 days or more, for medical or sickness reasons immediately prior or after a school holiday and no evidence is provided
- Holidays and trips abroad will be unauthorised
- Leave taken during term time which is not deemed exceptional
- Where there is a pattern of poor attendance, broken weeks and no medical evidence has been provided

**If a child is absent from school for more than 20 days, without prior permission from the Headteacher, their name may be taken off the school roll and their place offered to another child.**

### **Roles and responsibilities**

**The governing board has overall responsibility for:**

- Monitoring the implementation of this policy and all relevant procedures across the school.
- Supporting the school in promoting the importance of good attendance through the school's ethos and policies.
- Providing support and challenge to the school to ensure good attendance for all
- Regularly reviewing attendance data, e.g. termly in Headteacher's reports and at termly Attendance meetings

- Ensuring that this policy, as written, does not discriminate on any grounds, including, but not limited to, ethnicity/national origin, culture, religion, gender, disability or sexual orientation.
- Having regard to KCSIE when making arrangements to safeguard and promote the welfare of children.
- Ensuring that the Children Missing Education guidance is in place within the Safeguarding policy which is regularly reviewed and updated.

**The headteacher is responsible for:**

- The day-to-day implementation and management of this policy and all relevant procedures across the school.
- To communicate clearly the attendance procedure and expectations of the school.
- To acknowledge and reward good attendance and punctuality
- Ensuring all parents are aware of the school's attendance expectations and procedures.
- Ensuring that every pupil has access to full-time education and act as early as possible to address patterns of absence.

**Staff are responsible for:**

- Following this policy and ensuring pupils do so too.
- To maintain accurate registers twice daily and to monitor attendance regularly
- Ensuring this policy is implemented fairly and consistently.
- To record individual children's absences on SIMS and maintain in children's personal files

**The Attendance Officer is responsible for:**

- Ensuring consistency in the overall approach to attendance in school
- Monitoring attendance and the impact of interventions
- Analysing attendance data and identifying areas of intervention and improvement
- Communicating with pupils and parents with regard to attendance
- Following up on incidents of persistent poor attendance
- Informing the LA of any pupil being deleted from the admission and attendance registers
- To inform parents if their child's attendance rate falls below 95% (concern), and 90% (Persistent Absence or PA)
- To work to support families and pupils with difficulties affecting regular school attendance e.g. through an Attendance Agreement
- To follow up continual pupil absences, patterns of absence or lateness with parents, and record and report concerns to the Education Welfare Service
- Unexplained absences are followed up by texts, phone calls and/or emails as soon as possible after the registers close
- To report to the Education Welfare Officer (EWO) any children whose attendance falls below 90% (PA) or pattern of absence is a cause for concern.
- To make home visits where no contact has been established and an absence remains unexplained

**The Attendance Lead is responsible for:**

- Meeting with parents if their child's attendance falls below 95%
- Meeting with parents of PA children (attendance below 90%)
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- Putting in place an Attendance Agreement, outlining parents' concerns and school's concerns, along with an action plan to improve the attendance
- Offering pastoral and parenting support where appropriate, including advising parents in setting basic routines, childcare and development, managing behaviour of children as appropriate
- Carrying out home visits where no contact has been established and an absence remains unexplained, or in the case of a vulnerable child,

#### **Parents are responsible for:**

- Providing accurate and up-to-date contact details and updating the school if their details change.
- Providing the school with more than one emergency contact number.
- Informing the school by 8:50 by telephone, email or via the school's website, on the first day of a child's absence, with an explanation for the absence if their child will be absent from school.
- Ensuring that children attend school regularly and are on time. Starting times are 8:30 and 12:30 for Nursery, 8:50 for Reception to Year 2.
- Ensuring that prolonged periods of absence are avoided. This includes any trips during term time.
- Only in exceptional cases, where leave of absence is required, a parent can make an application in writing on the school's 'Application for School Absence for Exceptional Circumstances' form, giving the reason for the request. This must be done at least a month in advance and in most cases this will be followed up by a meeting with the Headteacher and/or the school's Attendance Governor.
- Avoiding medical and dental appointments during the school day
- Working with the school and EWO to improve lateness and attendance

#### **School's Procedures**

- Children who arrive after the registers have closed (8:50 for Reception to Year 2, and 8:45 or 12:45 for am/pm Nursery) should report to the school office where parents will be required to complete a late form. Your child will then be taken to their classroom by a member of the office staff.
- If your child is late because they have been attending a medical appointment, please provide evidence in the form of an appointment card or hospital letter. Their absence will be authorised.
- Parents will be contacted by telephone if they have not informed the school of the reason for their child's absence by 8:50 am. If we cannot make contact with you, you may receive a home visit from the Attendance Lead/Family Outreach Worker. **If we still can't contact you and we do not hear from you within 5 days, we have a legal obligation to make a referral to Social Services as your child has become a Child Missing from Education [CME].**
- When an explanation for absence has not been provided, parents will receive a reminder letter. If this is not completed and returned by the given date, the child's absence will be recorded as unauthorised.
- When a child's attendance falls below 95%, parents will initially receive a letter advising them of the school's concern. Parents will be invited in to meet with the Attendance Lead/Family Outreach Worker. Attendance will continue to be monitored.

- If attendance falls below 90% parents will receive a second letter advising of the school's continuing concerns, and will be invited in for a meeting with the Headteacher & Family Outreach worker.
- If attendance continues to fall following a meeting with the Headteacher, parents will be invited to attend a final attendance meeting with the Headteacher and Attendance Governor. This will be recorded on the child's personal file.
- Children whose attendance falls below 90% are identified as 'Persistent Absentees'. This level of attendance immediately prompts the involvement of the Education Welfare Officer from the Local Authority. The Educational Welfare Officer will meet with parents or may carry out home visits where attendance is a concern.
- **On going poor attendance can indicate a safeguarding concern/neglect and will prompt the school to follow it's safeguarding procedures including a referral to Social Services.**
- If a holiday/trip is taken, it will be recorded as an unauthorised absence and the Educational Welfare Officer will be notified and a Fixed Penalty Notice considered.

### **Fixed Penalty Notices (FPNs)**

Since 2004, Local Authority officers (Education Welfare Officers or EWO), Headteachers (or Deputy/Assistant Headteachers) and the Police have had the power to issue fixed penalty notices for unauthorised absences. A fixed penalty notice (FPN) can also be issued if a parent or carer fails to ensure their child is not present in a public place during the first 5 days of exclusion. Burlington schools reserve the right to issue FPNs according to the 'Penalty Notices Practice Guidance for Schools' issued by AfC in 2014.

There are two levels of Fixed Penalty Notices which will be issued by the local authority to **each parent/carers for each child** absent from school:

- £60 fine if paid within 21 days
- £120 fine if paid later than 21, but within 28 days

FPNs may be considered appropriate when input from the EWS has failed to affect a return to school and in the following specific circumstances.

- At least 10 sessions (5 school days) lost due to unauthorised absence in any 5 week period;
- Parentally condoned absence;
- Unauthorised term time leave (includes holidays/trips): any parent who takes a child out of school for term time leave of more than 10 sessions (5 school days), not authorised by the school under exceptional circumstances rule), may receive a penalty notice;
- Unauthorised delayed return from extended holidays;
- Where a child is off for medical or sickness reasons immediately prior or after a school holiday, totalling an absence of 5 days, and no evidence is provided – e.g. 1 day sickness, 4 days unauthorised absence due to holiday
- Persistent late arrival at school (after the register has closed) equivalent to 10 occasions in any 5 week period (even where attendance for the whole academic year is above 90%).

### **Who receives a Fixed Penalty Notice?**

FPNs are issued to any parent whether married or not, to each parent/carers for each child.

Any parent who although not a natural parent, has parental responsibility as defined in the Children's Act 1989 for a child.

Please see Education Welfare Service guidance in Appendix 1, 'Fixed Penalty Notices: Information for Parents and Carers'

### **Child Missing Education (CME)**

As a school we follow the guidelines as set out in AfC's 'Educational Welfare Information and Guidance for Schools' which in turn follows 'Children Missing Education' – statutory guidance for schools September 2016 which can be found [here](#). Children missing education falls under the school's safeguarding duty.

### **Encouraging attendance and punctuality**

Burlington encourages regular attendance and punctuality in the following ways:

- By providing a caring and welcoming learning environment
- By responding promptly to a child or parent's concern about the school or other pupils
- By informing parents in writing of irregular attendance, including lateness by accurate and punctual completion of registers during morning and afternoon registrations
- By publishing attendance statistics
- By celebrating good attendance and punctuality through certificates and prizes
- By educating our children through assemblies, through lessons in relation to the importance of excellent attendance and punctuality as a crucial part of becoming successful learners, confident individuals and responsible citizens
- By presenting attendance certificates at the end of each term, and 100% badges at the end of each academic year
- By presenting weekly class attendance awards for each year group
- Monitoring punctuality every day to encourage good punctuality

### **Late collection**

School closes at 3:20pm for YR - Y2, and at 11:30am/3:30pm for Nursery. Parents must ensure that their child is collected on time every day. In addition, extra-curricular clubs finish between 4:15pm to 4:30pm. If a child is collected late either from school or a club, this can be distressing for the child and also mean that staff who have to supervise late children beyond the school day are taken away from their scheduled work. This can also result in staff needing to stay beyond the end of their shift. This incurs a cost which will be passed on to the parents at £5.00 for the first 15 minutes and a further £1 for each subsequent 5-minute period. In exceptional circumstances, these costs may be waived at the discretion of the Headteacher. **In extreme circumstances, regular late collection can also indicate a safeguarding issue and the school will follow its safeguarding procedures.**

## **Appendix 1**

## **Education Welfare Service Fixed Penalty Notices: information for parents and carers**

### **What is a Fixed Penalty Notice?**

Since 2004, local authority officers (typically education welfare officers), headteachers (or assistant headteachers and deputy headteachers) and the police have had the power to issue fixed penalty notices for truancy/unauthorised absences. A fixed penalty notice can also be issued if a parent or carer fails to ensure that their child is not present in a public place during the first five days of exclusion.

There are two levels of fixed penalty notices:

- **£60 fine if paid within 21 days**
- **£120 fine if paid later than 21, but within 28 days**

Parents or carers who pay the fixed penalty notice within the time limit cannot later be prosecuted for the offence to which the fixed penalty notice relates. The money paid as a result of fixed penalty notice is retained by the local authority.

### **Who receives a fixed penalty notice?**

Any natural parent whether married or not.

Any parent who although not a natural parent, has parental responsibility as defined in the children's Act 1989 for a child or young person.

### **What if I don't pay?**

Should a parent not pay the notice within 28 days, the local authority will prosecute for the offence to which the fixed penalty notice relates rather than for non-payment of the fixed penalty notice.

The disposals available to the courts will generally include, for example, a fine of up to £1,000 or a conditional discharge. You may wish to seek your own independent legal advice in respect of this.

### **Can I appeal against a fixed penalty notice?**

There is no right of appeal against the fixed penalty notice, however if you believe it to have been wrongly issued, you should contact the school immediately. Once issued, the fixed penalty notice will only be withdrawn in the following circumstances.

- Proof has been established that the fixed penalty notice was issued to the wrong person.
- The fixed penalty notice did not conform to the terms of the code of conduct.
- The fixed penalty notice contains a material error.

Should the fixed penalty notice not be withdrawn and you do not pay, you may be prosecuted under s444 of the Education Act 1996. A court will consider the evidence and determine the appropriate punishment.