

# ATTENDANCE POLICY AND PROCEDURES FOR REGISTRATION OF PUPILS SEPTEMBER 2020

## GENERAL

We expect all children to attend each day unless they are ill. Following school closures due to Covid 19, attendance will be mandatory again from September 2020. This means that for children of compulsory school age there is a legal duty for parents to send their children to school regularly. Children with good attendance do better in school and often find it easier to make friends. It is also vital for their educational progress, well-being and for their wider development.

A small number of pupils will still be unable to attend in line with public health advice because they are self-isolating and have had symptoms or a positive test result themselves, or because they are a close contact of someone who has coronavirus (COVID-19).

Shielding advice for all adults and children will pause on 1 August, subject to a continued decline in the rates of community transmission of coronavirus (COVID-19). This means that the small number of pupils who will remain on the shielded patient list can also return to school, as can those who have family members who are shielding. See the [guidance on shielding and protecting people defined on medical grounds as extremely vulnerable](#) for the current advice.

Some pupils no longer required to shield but who generally remain under the care of a specialist health professional may need to discuss their care with their health professional before returning to school in September (usually at their next planned clinical appointment).

Where children are not able to attend school as parents are following clinical and/or public health advice, the absence will not be penalised.

Our attendance target for the whole school is 97%. The National expectation is that children's attendance is 96% or better.

We expect children to arrive at school on time. The school gates are open from 8.45am until 9.15am to allow a staggered start for families, following the Covid 19 pandemic. Any child arriving after 9.15am will be marked as late. Children arriving later than 9.30am without a good reason are not given an attendance mark, although their presence is recorded in the register as an unauthorised late.

We acknowledge good attendance and punctuality and the class with the best weekly attendance and punctuality receives a certificate in assembly. The winning class each term receive medals and a special trophy. This is reported in the weekly school newsletter also. Each half term children with 100% attendance receive a coloured wristband – red for autumn 1, orange for autumn 2, yellow for spring 1, green for spring 2, blue for summer 1 and purple for summer 2. At the end of the academic year children with 100% for the whole year receive rainbow coloured wristband.

From September 2020 we will also be rewarding children weekly. Every child from Reception to Year 6 who attends every day will go into an “In to Win” raffle at the end of the week to win a small prize. We hope this will encourage regular attendance when children return to school following the Covid-19 pandemic.

We understand that some parents may be anxious about their children returning to school. Since reopening we are following government guidance and have put additional measures in place to ensure everyone's safety in the best way that we can. We will meet with parents to discuss individual concerns and ensure that we support the family to alleviate these worries and help them to get their child/ren back into school.

## PARENTS' RESPONSIBILITIES

**It is your duty under the Education Act 1996 (section 444) to ensure your child attends school regularly. Failure to adhere to this could lead to a prosecution and a fine of up to £2500 or a prison sentence.**

Parents are aware through the Home School Agreement of their responsibilities for getting their children to school on time, every day.

Specifically, parents should:

- Inform the school in advance if they expect a child to be absent for any reason
- Inform the school if they need to pick their child up from school early
- Contact the school on the first day of absence, usually by phone, to report their absence. They should do this before 10.00am.
- Send a note giving the reasons for absence when a child returns to school (if they omitted to contact the school beforehand)
- Telephone the school if they are unavoidably delayed in picking up a child from school
- Make sure the school has correct addresses and phone numbers
- Ensure the school has names, addresses and phone numbers of at least 3 people who can be contacted in an emergency

## TERM-TIME OR SPECIAL LEAVE

- If parents are requesting term-time leave they must complete a request form which is considered by the Leadership Team.
- Southwark Education Welfare and Attendance Service support its schools in discouraging such absences.
- The law in regards to term-time holiday states that parents do not have the right to take their child out of school for holidays during term time. All requested leave during term time must be

discussed and agreed with the Leadership Team and in exceptional circumstances a short period of absence may be agreed. It is not a right.

- If the request is not authorised a warning letter will be issued and a copy will be placed in the child's record folder. The absence will be marked as an unauthorised absence.
- Any further term-time leave may result in a fixed penalty notice being issued which will require parents to pay a fine of £60 per parent/carer.
- Further absence could result in other legal action being taken.
- The school can off roll your child if they have been gone for 20 consecutive days.
- See Appendix 2 – term time leave procedures

## PERSISTENT ABSENCE

- We offer support from our Learning Mentors to families who are finding getting to school every day or on time difficult or for children who are persistent absentees and may be at risk of becoming disillusioned with education or school refusers.
- All children whose attendance is below 90% are discussed. A warning letter is sent notifying parents that this is the case and their child's attendance is being closely monitored. The letter also states the days/sessions missed in numbers, as well as time lost and the opportunity for parents to come in and discuss this will be offered. Parents may be asked to come in for a meeting if their child's attendance doesn't improve and may be referred to Family Early Help Service. Targets are set for improvement and monitored by the Leadership Team.
- No improvement could lead to court proceedings being started
- See Appendix 1 for flow chart of attendance intervention model
- Any child who is late after 9.15am more than 10 times in a term will be discussed. A letter is sent notifying parents that this is the case and their child's punctuality is being closely monitored. The letter also states the amount of time lost. Reward charts are put in place for those children who are persistently late.

### **First day contact procedures in cases of unexplained absence**

- Parents are expected to call the school office on the first day of absence to report their absence before 10.00am.
- If we have not heard from the parent by 10.00am the administrator for attendance will start to call all the contact numbers provided in order to gain an explanation for the absence.

- The administrator for attendance will send the parents a text message notifying them that if we are unable to make contact and gain a reason for absence by midday then we may make a home visit
- If they are not able to get a response and ascertain a reason for the absence by midday then we will make a home visit (2 members of staff including a member of the safeguarding team.)
- If we are still unable to get a response then we will report it to the police as a “missing child.”

## STAFF RESPONSIBILITIES

### EXECUTIVE HEAD AND LEADERSHIP TEAM

The Executive Head and Leadership Team have responsibility for attendance and punctuality in school and for passing information on attendance to Southwark Education and the DfE. The Designated Safeguarding leads have responsibility for informing Social Services if any child with a social worker is absent.

A member of the Leadership Team interviews prospective parents and in the course of this meeting, points out parental responsibilities outlined in the school’s Home School Agreement. This includes attendance and punctuality. A new admission form is then completed and sent to the class teacher and Inclusion Manager.

The member of the Leadership Team responsible for attendance tracks children who are persistently absent and analyses attendance data termly to look for patterns and identify further ways to improve whole school attendance and target those persistent absentees. The Inclusion Team meets with the Family Early Help Service locality team linked to the schools once or twice a term for a Team Around the School meeting (TAS). Key families causing concern in relation to any of the Troubled Families Programme are discussed. A member of the Safeguarding team is on the gate every morning to note down those children who arrive late.

### ADMINISTRATOR IN CHARGE OF ATTENDANCE

The administrator is delegated by the Head for matters of attendance and punctuality and to ensure registers and statistics are kept up to date. They have day to day responsibility for dealing with matters of pupil enrolment and change of school. This includes the upkeep of all pupil paper records and computer data bases. The School Business Manager, in consultation with the Head, is the only person entitled to take children “off-roll”.

- Taking telephone messages about pupil absence and recording details on data base
- Filling in children’s names and time of arrival in school
- Printing off and filing a daily attendance sheet to use in the event of an emergency
- In case of the fire alarm sounding, taking the register folders to the playground and giving them to the teachers for checking.

- Keeping the school attendance data up to date
- Phoning parents on the first day or unexplained absence (see first day contact procedures above)
- Contacting parents if children are left in school after 3.30pm
- Contacting parents to discuss unauthorised absences
- Recording on the data base the time, date and information received through phone calls, meetings, or written answers to letters
- Sending out relevant letters about unexplained absences and lateness if unable to contact parents via telephone.
- Checking e-registers every week and ensuring teachers are aware of how to complete them correctly
- Working out weekly statistics for the award of the class weekly attendance certificate
- Working out percentage attendance figures for the school and all classes
- Liaising with the member of the Leadership Team with responsibility for attendance

## TEACHERS AND TEACHING ASSISTANTS

Class teachers and assistants have responsibility for day to day monitoring of attendance and the upkeep of e-registers. Specific duties include:

- Marking e-registers at the start of the morning sessions according to the stated procedures
- Ensuring that children arriving late report to the Office so they can be marked in as present in school
- Notifying office staff of any known reason for absence and lateness if these are given by parents
- Informing the school's designated safeguarding leads as soon as possible about any concerns
- Informing the Leadership Team and Administrator if they have any information about a child leaving the school

## FAMILY EARLY HELP SERVICE

A consultation on the restructure of the Early Help Localities service and Specialist Family Focus Team was carried out in April 2018. Following feedback the proposals were amended and the newly restructured, "Family Early Help Service" was launched in July 2018. The service is being continually reviewed to ensure that they are meeting schools' needs.

The service provides support detailed below:

- Whole family assessment and plans to address areas of concern agreed with the family and including all the key risk factors identified within the Troubled Families Programme
  - School attendance including exclusion
  - Child in need of help
  - Physical and mental health needs
  - domestic abuse
  - criminality
  - financial exclusion/worklessness
- The focus will be on families where schools have identified the impact of factors outside the school environment that need work 'in the home' to improve outcomes for children and their attempts to work with families have not achieved sufficient change.
- Statutory duties for Education Welfare are delivered within the whole family approach with 3 specialist Senior Education Welfare roles (Education Inclusion Team) undertaking prosecution work and offering expertise on exclusion.
- Completion of the Early Help Referral form will continue to be the access point for services

## CHILDREN AT RISK OF MISSING EDUCATION (CME)

The schools in The Bridges Federation have in place appropriate safeguarding responses for children who go missing from school, particularly on repeat occasions. Where reasonably practicable, for every pupil, we hold an emergency contact number for more than one person, ideally at least three per child/family. Emergency contact numbers are provided and updated by the parent with whom the pupil normally resides. This goes beyond the legal requirement but is good practice and by doing so provides us with additional options for making contact with a responsible adult when a child is missing school and is also identified as a welfare and/or safeguarding concern.

Where school staff have concerns about a child, they report this immediately to the Designated Safeguarding Lead who then uses their professional judgement and knowledge of the individual pupil to inform their decision as to whether welfare concerns should be escalated. The local authority have a duty to put in place arrangements for identifying (as far as it is possible) those children of compulsory school age in their area who are not school registered or receiving suitable education otherwise than at a school. The local authority should trace those children and ensure that they receive full-time education.

We will notify the local authority when a pupil's name is to be deleted from the admission register under any of the grounds prescribed in regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 as amended, as soon as the ground for removal is met and no later than the time at which the pupil's name is removed from the register. This duty does not apply when a pupil's name is removed from the admission register at standard transition points – when the pupil has completed the final year of education normally provided by that school – unless the local authority requests that such returns are to be made.

When removing a pupil's name, our notification to the local authority will include: (a) the full name of the pupil, (b) the full name and address of any parent with whom the pupil normally resides, (c) at least one telephone number of the parent, (d) the pupil's future address and destination school, if applicable, and (e) the ground in regulation 8 under which the pupil's name is to be removed from the admission register.

If we are removing a pupil's name from the register for any of the following reasons (see below) – we will, with the local authority, make reasonable enquiries to establish the whereabouts of the child:

In the case of a pupil granted leave of absence, that

- (i) the pupil has failed to attend the school within the ten school days immediately following the expiry of the period for which such leave was granted;
- (ii) the school does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause; and
- (iii) the school and the local authority have failed, after jointly making reasonable enquiries, to ascertain where the pupil is.

In the case of a pupil that has been continuously absent from the school for a period of not less than twenty school days and

- (i) at no time was their absence during that period authorised by the school
- (ii) the school does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause; and
- (iii) the school and the local authority have failed, after jointly making reasonable enquiries, to ascertain where the pupil is.

For further guidance about the duties of the local authority in relation to Children Missing in Education please refer to

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/550416/Children\\_Missing\\_Education\\_-\\_statutory\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/550416/Children_Missing_Education_-_statutory_guidance.pdf)

## PENALTY NOTICE PROTOCOL (APRIL 2014)

### 1. LEGAL BASIS

**1.1** Section 23 of the Anti-Social Behaviour Act 2003, which created a new section 444A Education Act 1996, empowers designated LA officers, Head Teachers (& Deputy and Assistant Head Teachers authorised by them) and the Police to issue Penalty Notices in cases of unauthorised absence from school. The Education (Penalty Notices) (England) Regulations 2007 came into force on 1 September

2007. A PN can also be issued in relation to the offence of an excluded pupil being in a public place during school hours during the first 5 days of an exclusion. This protocol describes the circumstances and procedures under which Notices will be issued by the London Borough of Southwark.

**1.2** A Penalty Notice imposes a financial penalty of up to £120 which, if paid, discharges liability for conviction for the offence to which the penalty relates (s444 (1) Education Act).

**1.3** The issuing of Penalty Notices must conform to all requirements of the Human Rights Act 1998, Freedom of Information Act 2000 and Equality Act 2010. Each LA must draw up and consult on a code of conduct under which the issue of Penalty Notices will operate.

**1.4** The LA has the prime responsibility for developing the Protocol within which all partners identified through the legislation will operate. Penalty Notices issued without, or outside the terms of a Local Code of Conduct are unlawful.

## 2. CODE OF CONDUCT

**2.1** The code of conduct relating to the issue of penalty notices in Southwark is agreed between:-

- Southwark Council (Children's and Adults' Services)
- Governing Bodies and Head Teachers of Southwark Schools
- The Southwark Division of the Metropolitan Police Service
- Elected Members

And in producing this Code of Conduct regard has been had to the guidance issued by the Secretary of State.

**2.2** The purpose of the code is to ensure that the powers are applied consistently, fairly and transparently across the local authority area and that suitable arrangements are in place for the administration of the scheme in compliance with the regulations of the Education (Penalty Notices) (England) Regulations 2007.

**2.3** The regulations specify that, in order to achieve consistency and fairness across the authority, the following must be included in the local code, including:-

- The means of avoiding the issue of duplicate Notices.
- Measures to ensure that a Notice is not issued when proceedings for an offence of non-attendance at school under Sec. 444 of the Education Act 1996 are contemplated or have been commenced by the Local Authority.
- The circumstances under which it will be appropriate to issue a Penalty Notice for an offence.
- A maximum number of Penalty Notices that may be issued to one parent in any twelve-month period.

- Arrangements for co-ordination between the Local Authority, neighbouring Local Authorities where appropriate, the police and authorised officers.

### 3. RATIONALE

- 3.1** Regular and punctual attendance at school is both a legal requirement, essential for pupils to maximise their educational opportunities through continuity of learning, and a pre-requisite for school improvement.
- 3.2** Under Section 444(1) of the Education Act 1996, an offence occurs if a parent/carer fails to secure a child's attendance at a school at which they are a registered pupil and that absence is not authorised by the school. Penalty Notices supplement the existing sanctions currently available under Sec 444(1), Education Act 1996 or Sec 36, of the Children Act 1989 to enforce attendance at school, as appropriate.
- 3.3** The Early Help Inclusion Team Service delivers this LA responsibility in Southwark. The Early Help Attendance Strategy is the LA's strategic framework for the promotion of improved school attendance and punctuality and for the reduction of levels of unauthorised absence and post-registration truancy. Enforcement of attendance through sanctions of any nature are used only where parental co-operation is either absent or deemed insufficient to resolve the presenting problem.
- 3.4** Sanctions are never used as a punishment, but as a means of enforcing attendance where there is a reasonable expectation that their use will secure an improvement through engagement with parents.

### 4. CIRCUMSTANCES WHERE A PENALTY NOTICE MAY BE ISSUED

- 4.1** The LA can only issue Penalty Notices in respect of pupils registered at schools in the LA's area; children in respect of whom alternative education is being provided and; and children who are not registered pupils at any school but who are resident in Southwark.
- 4.2** A Penalty Notice can only be issued in cases of parentally-condoned unauthorised absence, where the parent is judged capable of securing their child's regular attendance but is not willing to take responsibility for doing so.
- 4.3** Use of Penalty Notices will be restricted to one per family per academic year. Repeat breaches of term-time leave guidance may result in direct prosecution and not further issue of Penalty Notices.
- 4.4** Where families contain more than one child for whom poor attendance is an issue, multiple issues may occur but this will be the subject of careful consideration and co-ordination.
- 4.5** There will be no restriction on the number of times a parent/carer may receive a formal warning of the possible issue of a Penalty Notice. The Early Help Inclusion Team Service will advise schools on the issue of warning letters.
- 4.6** The issuing of a Penalty Notice may be considered appropriate in the following circumstances

- Unauthorised term-time leave including the deliberate taking of a holiday in term time without school permission (where it can be clearly demonstrated that the parent/carer understood that permission had not/would not be given) and/or deliberately delaying the return from an extended holiday without prior school agreement
- When a parent/carer has made it clear that they are unwilling to co-operate or work with the Early Help Service or school staff to improve a child's non-attendance.
- When a student who has been excluded is stopped on the streets during the first five days of their exclusion period.
- When a student has been stopped on more than one occasion by a truancy patrol.
- When a young person who is out of school is also known to be involved in offending behaviours or anti-social behaviour.
- For a Year 11 student during the Spring/Summer terms, as an intervention when it is felt that the issuing of a PN would re-engage a family, and/or re-focus them upon matters of the student's education.

## 5. SOUTHWARK PROCEDURES FOR THE ISSUE OF PENALTY NOTICES

- 5.1** The LA will issue Penalty Notices in Southwark where there are grounds to believe that this will either effect a speedy return to education or act as a deterrent to further unauthorised absence. This will ensure coordinated, consistent and equitable delivery and avoid compromising school-home relationships and other enforcement sanctions (for example, by ensuring that a PN is not issued when proceedings for an offence under section 444 are being contemplated or have been commenced, and that duplicate PNs can be avoided).
- 5.2** Penalty Notices will only be issued by first class post and never as an on the spot action. This is to satisfy that all evidential requirements are in place and to meet Health and Safety obligations towards LA staff.
- 5.3** The LA may also receive requests to issue Penalty Notices from schools (Head Teachers), Southwark Police and neighbouring LAs. These requests will be actioned provided that:
- all relevant information is supplied on the specified Penalty Notice referral form (to be supplied to schools/agencies)
  - the circumstances of the pupil's absence meet all the requirements of this Protocol,
  - the issue of a Penalty Notice does not conflict with other intervention strategies in place or other enforcement sanctions already being contemplated or progressed,
  - the referring school or agency are available to give evidence in Court in the event that, if the penalty is not paid, the LA commences a prosecution under section 444 for the original offence of non-attendance

Schools must consider every aspect of a pupil's circumstances before considering whether a Penalty Notice would be appropriate.

- 5.4 Requests from schools for the LA to issue a Penalty Notice will be considered within 10 working days from the receipt of the request by a small panel made up of LA officers and a Southwark Head Teacher. If the panel agrees that the issue of a Penalty Notice is appropriate and that all criteria has been met the LA will issue a Penalty Notice through the post.
- 5.5 In the rare circumstances where the panel agrees that there are insufficient grounds and/or insufficient evidence to proceed a discussion will take place with the school to either seek more evidence or to agree not to proceed at this time.
- 5.6 If a school were to ignore the LA advice and the Head Teacher were to proceed to issue the Penalty Notice independently of the LA schools should bear in mind that the LA may not proceed with a prosecution of the original offence if the LA's view was that there were insufficient grounds or evidence to proceed, and this position remained unchanged. If a penalty is not paid and the LA does not commence prosecution, the 2007 Regulations require the LA to withdraw the Penalty Notice (see 8.1, below).

## 6. PROCEDURES FOR WITHDRAWING PENALTY NOTICES

A Penalty Notice will only be withdrawn in the following circumstances:

- that proof has been established that the Penalty Notice was issued to the wrong person
- where the Penalty Notice ought not to have been issued i.e. where it has been issued outside of the terms of the local code of conduct or where no offence has been committed.
- where there are material errors with the notice in relation to the local code of conduct

### 6.1 Right of Appeal

There is no right of appeal against the issue of a Penalty Notice

## 7. PAYMENT OF PENALTY NOTICES

- 7.1 Arrangements for payment will be detailed on the Penalty Notice.
- 7.2 Payment of a Penalty Notice discharges the parent/carer liability for the period in question and they cannot subsequently be prosecuted under other enforcement powers for the period covered by the penalty Notice.
- 7.3 Payment of a Penalty Notice within 21 days of receipt is £60 and payment after this time, but within 28 days of receipt, is £120. A Notice served by post is deemed to have been received on the second day after posting it by first class post.

**7.4** The LA retains any revenue from Penalty Notices to cover enforcement costs (collection or prosecution in the event of non-payment).

## 8. NON-PAYMENT OF PENALTY NOTICES

**8.1** If the penalty is not paid in full by the end of the 28 day period, the LA must either prosecute for the offence for which the Notice applies or withdraw the Notice, in circumstances specified in section 5.

## 9. POLICY & PUBLICITY

**9.1** Deployment of Penalty Notices as a sanction will be included in the Early Help Attendance Strategy.

**9.2** All schools will be encouraged to include information on the deployment of Penalty Notices in their whole-school attendance policies and bring this to the attention of all parents.

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

## 10. REPORTING & REVIEW

**10.1** The Early Help Service will report at regular intervals to SMT on the deployment and outcomes of Penalty Notices.

**10.2** The Early Help Service will review Penalty Notice use, and the enforcement strategy, on an annual basis.

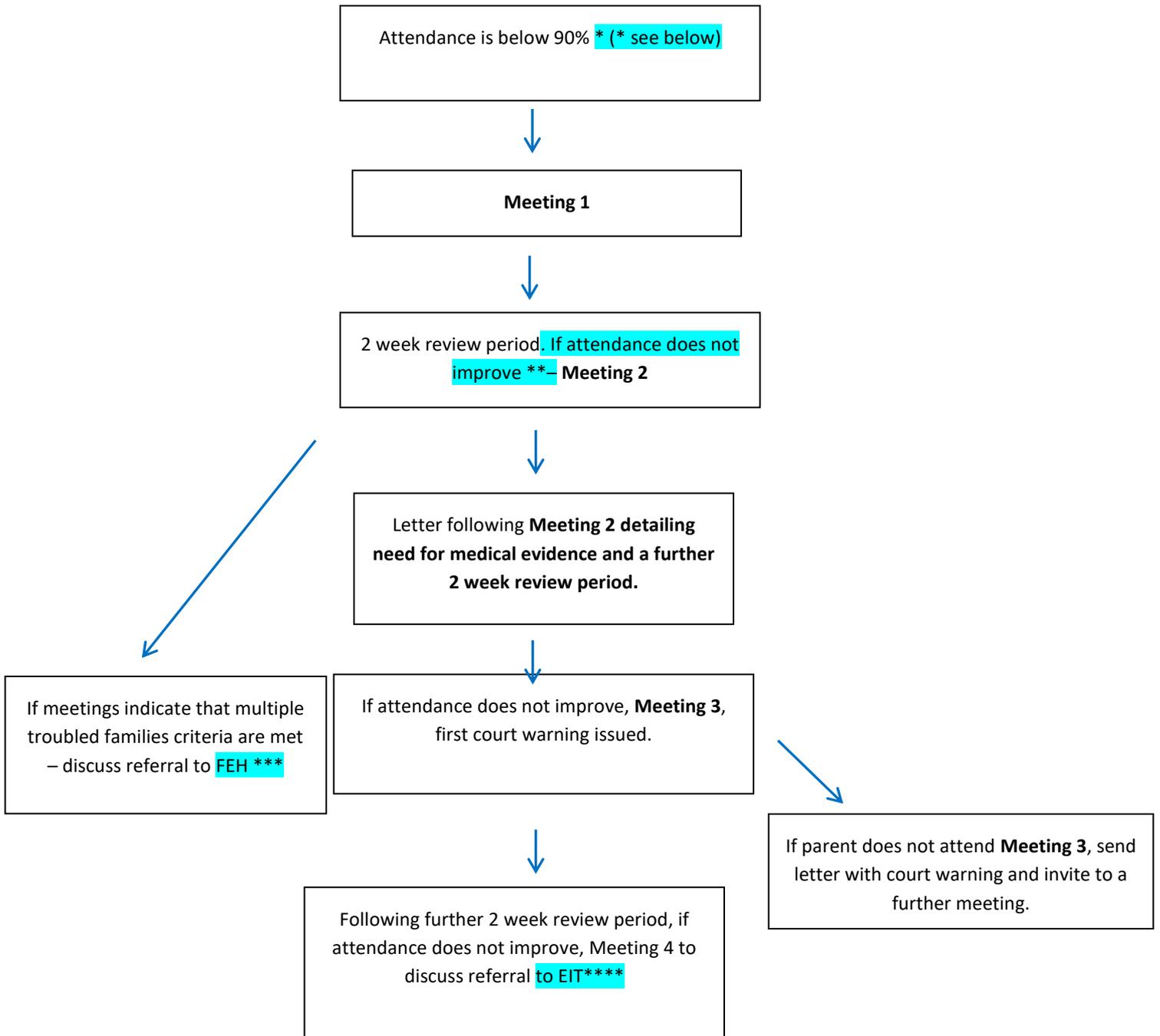
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## REFERENCE

*'Parental responsibility measures for school attendance and behaviour – Statutory guidance for maintained schools, academies, local authorities and the police'* - Department for Education, November 2013

APPENDIX 1

ATTENDANCE INTERVENTION MODE



\*Children’s attendance has been below 90% for one term (authorized/unauthorized) OR Children were below 90% at the end of the pervious academic year and at below 90% for half a term (authorised/unauthorised) OR Children’s attendance is below 90% for less than half a term, absences are not authorized/home visits have been carried out.

\*\* If attendance does not improve and absences are not authorised

\*\*\* Family early help

\*\*\*\* Education Inclusion Team

## APPENDIX 2

### TERM TIME LEAVE INTERVENTION MODEL

