



Attendance Policy

To be reviewed annually

Chair of Governors, Jane Jones

Signed

East Preston Infant School Attendance Policy

East Preston Infant School is a Rights Respecting School. All pupils, staff and visitors have the right to be healthy, safe, educated, listened to and treated fairly. These principles are at the heart of our school ethos, and our policies and practices support these rights. We are committed to equal rights, mutual respect and shared responsibility.

In this Policy we specifically recognise the following articles from the UN convention on the Rights of the Child:

Article 2 – The Convention applies to everyone; whatever their race, religion or abilities, whatever they think or say, whatever type of family they come from.

Article 3 – The best interests of the child must be a top priority in all things that affect children.

Article 28 – Every child has the right to an education. Discipline in schools must respect children’s dignity.

Introduction and Background: The importance of school attendance

At East Preston Infant School, we believe in developing good patterns of attendance and punctuality for our pupils from the outset. It is a central part of our school’s vision, values, ethos and day to day life. We recognise that good attendance is essential in order for pupils to get the most of their school experience, including their attainment, wellbeing and wider life chances. Therefore, we aim to work in partnership with families and other agencies to ensure that every child can get the best out of the educational opportunities provided.

The law entitles every child of compulsory school age to a full-time education suitable to their age, aptitude, and any special educational need they may have. It is the legal responsibility of every parent/carer to make sure that their child receives that education at a school or by education otherwise than at school.

Where parents decide to have their child registered at school, they have an additional legal duty to ensure their child attends that school regularly, on time. This means their child must attend every day that the school is open, except in a small number of allowable circumstances such as being too ill to attend or being given permission for an absence in advance from the school.

The Department for Education (DfE) has produced statutory guidance for maintained schools, academies, independent schools, and local authorities. It is called “[Working together to improve school attendance](#)” and it includes a National Framework in relation to absence and the use of legal sanctions. Our School Attendance Policy reflects the requirements and principles of that guidance.

In addition, all schools follow the DfE’s statutory safeguarding guidance, Keeping Children Safe in Education, which emphasises the importance of understanding the potential vulnerabilities of children who are missing or absent from education.

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

Our policy aims to raise and maintain levels of attendance by:

- Promoting a positive and welcoming atmosphere in which pupils feel safe, secure and valued;

- Raising and maintaining a whole school awareness of the importance of good attendance and punctuality;
- Ensuring that attendance is monitored effectively and reasons for absences are recorded promptly and consistently.

For our children to gain the greatest benefit from their education it is vital that they attend regularly and be at school, on time, every day the school is open unless the reason for the absence is unavoidable. **We request that pupils must attend every day, unless there are exceptional circumstances, and it is the headteacher, not the parent, who can authorise the absence.**

Key Principles

Good attendance is a learned behaviour. It is vital that families and schools work together to promote good attendance and punctuality. Our Attendance Policy reflects the key principles of the DfE guidance for maintained schools: '[Working together to improve school attendance](#)'.

The name and contact details of the Senior Attendance Champion – the senior leader responsible for the strategic approach to attendance in our school, is: Philippa Moulson, Deputy Headteacher.

The name and contact details of the school staff members pupils and parents should contact about attendance on a day-to-day basis are: Sue Woodcraft or Fiona Waller.

The name of our linked Governor with responsibility for monitoring attendance is: Amy Kimber-Roberts.

All of the above can be contacted via the school office.

The attendance team will also ensure that attendance is both recorded accurately and analysed. They will ensure that attendance issues are identified at an early stage and that support is put in place to deal with any difficulties. If absence is frequent or continuous, except where a child is clearly unwell, staff will discuss with parents/carers the need and reasons for their child's absence and will encourage them to keep absences to a minimum. A note or explanation from a child's home does not mean an absence becomes authorised. The decision whether or not to authorise an absence will always rest with the school.

Aims

For our children to gain the greatest benefit from their education it is vital that they attend school regularly and are on time, every day that the school is open. We aim to provide support and challenge where appropriate, to ensure that attendance remains high for all pupils in our care.

We aim to raise and maintain levels of attendance by:

- Promoting a positive and welcoming atmosphere in which pupils feel safe, secure and valued
- Building strong relationships with our families, listening to them to understand barriers to attendance and work with them to remove those barriers.
- Raising and maintaining a whole school awareness of the importance of good attendance and punctuality;
- Ensuring that attendance is monitored effectively and reasons for absences are recorded promptly and consistently, and challenged where appropriate

Types of Absence

Every half-day absence from school has to be classified by the school (not the parent), as either **AUTHORISED** or **UNAUTHORISED**. This is why information about the cause for any absence is always required. Each half-day is known as a 'session'.

Authorised absences are sessions away from school for a justified reason, such as illness, urgent medical or dental appointments which unavoidably fall in school time, emergencies or other unavoidable cause. NB: Only the Headteacher (not the parent) can approve the reason for absence.

If repeated absence occurs for medical or dental reasons you will be asked to provide evidence of this from the GP/Dentist/Specialist before absence is authorised.

No absence requests will be authorised throughout the National Curriculum assessment periods for Year 1 during June.

Examples of authorised absences could include:

- Genuine illness: If the school is satisfied that a pupil is absent as a result of illness the absence is treated as authorised. Ordinarily, children should not be absent from school for minor illnesses for more than two days. Children who experience long term absences are supported both during and after their absence through direct contact with the parents/carers. The school reserves the right to ask for medical clarification if a child's absences are above the amount expected for a usually healthy child or if the child is absent for more than two days.
- Emergency medical or dental appointments: Pupils' absence for emergency medical or dental appointments may also be authorised. Parents are requested to make routine dental and medical appointments outside of school hours.
- Religious observance: Parents should give advance warning of absence if it is necessary for their child to take part in a day of religious observance.
- Uncommon family emergencies e.g. bereavement.

Unauthorised absences are those which the school does not consider reasonable and for which no 'leave' has been given. Unauthorised absences are coded with an 'O' code. This type of absence can lead to a referral to the Local Authority who may issue a Fixed Penalty Notice (FPN) and/or issue legal proceedings.

Unauthorised absence includes: (NB this list is not exhaustive)

- Parents/carers keeping children off school unnecessarily e.g., because they had a late night or for non-infectious illness or injury that would not affect their ability to learn.
- Absences which have never been adequately explained to school leaders.
- Children who arrive at school too late (after registers close), get a 'U' mark on the register, which is also counted as unauthorised.
- Shopping trips.
- Family events/day trips out.
- Their own or family birthdays/parties.
- Holidays taken in term-time without leave being granted by the Headteacher under exceptional circumstances, including any arranged by other family members or friends.

- Parent being too unwell to bring the child to school (other arrangements must be made).
- Disputes with the School or claims of bullying are not a legally permitted reason for absence.
- Where the school believes that the parent has not been honest with them about the reason for absence.

Our school Procedures

Our playground gates are open from 8.30am. At 8.50am classroom doors are opened, and the teacher and/or Teaching and Learning Assistant will meet and greet the children as they arrive in class. Doors close at 8.55am when registers are taken. The main school gates also close at 8.55am. At the end of the school day gates are opened at 3.10pm for collection of children at 3.15pm from the outdoor classrooms.

- Electronic registers are taken promptly at 8.55am. These are completed in the school's data system, Bromcom.
- Registers officially close at 9.25am. Pupils arriving after the register has been taken, but before 9.15am will be marked as Late ('L'), with the reason and the number of minutes late recorded in the comments section of the register.
- Arrival after 9.15am is recorded as arrived in school after registration closed ('U') unless the school office has been informed in advance of some other circumstance (such as an emergency medical appointment).
- Afternoon registers are taken again at 1.00pm using Bromcom.

The school is registered with the Data Protection Register as a data user under the 1984 Data Protection Act.

What do we expect of our pupils?

- That children attend regularly, on time and ready to learn.
- Children are prepared for the day with appropriate equipment (book bag, water bottle).
- Children who arrive after registration time must report to the school office.
- Children tell a member of staff if there is any problem which may prevent them from attending school.

What do we expect of parents/carers?

- Notify school on the first day of absence, and every subsequent day of absence, before 8:30am and provide reason for absence (if a specific reason is not given, you will be asked for one). You can telephone **01903-773177** (leaving a message on the answerphone if the office is closed) or e-mail secretary@epinf.co.uk.
- Ensure that their children attend school regularly and on time to fulfil their legal responsibility.
- Complete a request form in advance for absence in term time for exceptional circumstances if you know your child is going to be absent.
- Be honest with the school about the reason for absence.
- Supply medical evidence when required. The following would be sufficient:
 - ✓ Hospital / GP appointment confirmations (letters, text messages, emails or appointment cards);
 - ✓ GP note or letter;
 - ✓ A copy of a prescription;
 - ✓ An advice slip from a pharmacist.
- Ensure all parental and child contact details are up to date.
- Provide school with at least two emergency contact details.

- Speak to relevant members of staff if they know of any problem which may prevent their child/ren from attending.
- Avoid taking their child out of school for non-urgent medical or dental appointments.
- Attend attendance meetings with our attendance team when offered.

Ensuring your child's regular attendance at school is a parent/carer's legal responsibility (Section 444 of the 1996 Education Act) and permitting absence from school that is not authorised by the school creates an offence in law.

What does the school expect of classroom staff?

- Meet and greet the children each morning and welcome them into class.
- Model respectful relationships to build positive relationships with families that can be the foundation of good attendance.
- Ensure that all students are registered accurately and in a timely manner.
- Liaise with the Deputy Headteacher and attendance team on matters of attendance and punctuality.
- Communicate any concerns or underlying problems that may account for a child's absence.
- Support children with absence to engage with their learning once they are back in school.

What can parents/carers expect from the wider school team?

- A broad, balanced education.
- Prompt action when a problem has been identified.
- Efficient and accurate recording and monitoring of attendance.
- Contact with parents and carers on the first day when absence is unexplained.
- Liaison with school staff on how we can work together to improve your child's attendance.
- Regular communication with parents and carers.

What is the role of the Attendance Team

- Ensure the recording of attendance and absence data is accurate (Codes are in Appendix D).
- Submit a daily attendance return to the Department of Education, in line with the legal expectations placed on all schools.
- Ensure robust day-to-day processes are in place.
- Track and follow up absence and poor punctuality.
- Provide appropriate support and challenge to establish good registration practice.
- Carry out robust first day calling procedures including priority routines for vulnerable children, including children with a social worker. If we are unable to make contact with parents/carers by telephone, we will telephone emergency contact numbers and a home visit may be made, in the interests of safeguarding (see below).
- Identify any absences that are not explained for each session and contacting parents to understand why, and when the pupil will return to school.
- Where absences are recorded as unexplained in the register, inputting the correct code as soon as the reason is ascertained, but no later than 5 school days after the session.
- Regularly analyse attendance and absence data to identify pupils, cohorts or groups that require support with their attendance and put strategies in place.
- Keep parents informed on a regular basis of their child's attendance and absence record.
- Hold regular meetings with the parents of pupils whom the school (and/or Local Authority) consider to be vulnerable or are persistently or severely absent to discuss attendance and engagement at school.

- Put into place an attendance contract (a formal written agreement) with families when a pupil has irregular attendance, outlining details of requirements in relation to regular attendance, barriers to attending regularly and support offered.
- Identify children who need support from wider partners as quickly as possible and making the necessary referrals.
- Undertake home visits in line with safeguarding responsibilities to engage families and ensure children are safe.
- Identify and, where possible, mitigating potential barriers to good attendance in liaison with families and relevant support agencies.
- Implement children missing education (CME) procedures when appropriate.

Safeguarding children not in attendance

- In the case where it has not been possible to ascertain the whereabouts of a child from the first contact, all other contacts held by the school will be tried. Parents are requested to provide at least two alternative contacts when completing the annual data collection form.
- If it is not possible to ensure that a child's whereabouts and safety is known via the contact numbers given, the school secretary will discuss the child with the Headteacher and/or Designated Safeguarding Lead (DSL).
- Where appropriate, the Headteacher and/or DSL will take further steps to ensure the wellbeing of the child, which may include contacting other schools where there are siblings, home visits, a referral to Integrated Front Door or seeking further advice from the local authority's team for Child Missing Education.
- Repeated absence, particularly where explanation for absence is not given, may be a safeguarding concern in its own right, or indicative of other risks to a child's wellbeing. Such cases will be referred to the safeguarding lead for consideration through the usual procedures.

Children with a Social Worker

In addition to the benefits for all pupils, good attendance at school also provides an additional safeguard for vulnerable pupils.

The attendance of this group of pupils is closely monitored and the school works effectively with the local authority to report individual attendance and inform a pupils' social worker if there are unexplained absences from school.

Philippa Moulson is the Designated Teacher for Looked After Children (LAC).

Lateness

Poor punctuality is not acceptable and can sometimes lead to irregular school attendance patterns. Good time-keeping is a vital life skill which will help children as they progress through their school life and out into the wider world.

Pupils who arrive late disrupt lessons and, if a child misses the start of the day, they can feel unsettled and embarrassed and risk missing vital work and important messages from their class teacher.

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

Gates open: 8.30am
 Classroom doors open: 8.50am
 Classroom doors close: 8.55am
 End of the school day: 3.15pm

- Children arriving after **8.55am** are required to come into school via the school office. Their parent/carer they must sign them in and provide a reason for their lateness, which is recorded;
- At **9.25am** 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 that they have an unauthorised absence;
- The school may contact parents/carers regarding punctuality concerns;

Unauthorised lateness could result in the school referring to the Local Authority for sanctions and/or legal proceedings. If your child has a persistent lateness record, you may be asked to meet with the Senior Attendance Champion, Philippa Moulson, but you can approach us at any time if you are having difficulties getting your child to school on time.

Understanding barriers to attendance

Whilst any child may occasionally have time off school because they are too unwell to attend, sometimes they can be reluctant to attend school. Any barriers preventing regular attendance are best resolved between the school, the parents and the child. If a parent thinks their child is reluctant to attend school, then we will work with that family to understand the root problem and provide any necessary support. If a parent thinks their child is reluctant to attend school, then they should speak to the class teacher in the first instance in order to help them understand the difficulties. The class teacher will then be able to make adaptations and provide additional support for example, having a ‘meet and greet’ on the door, talking to other children if there are relationship difficulties, circle time, individual incentives or provide additional support at key times in the school day.

This usually resolves any issues quickly, however if the problem persists then we will work with the family to understand the problem and provide any necessary support such as time with our ELSA (Emotional Literacy Support Assistant), or small group time in one of our group times. We can also use outside agencies to help, such as the Designated Schools Team, School Nurse, Play Therapist, Mental Health services or the Pupil Entitlement Team.

Some pupils face greater barriers to attendance than their peers. These can include pupils who suffer from long-term medical conditions or who have special educational needs and disabilities, or other vulnerabilities. High expectations of attendance remain in place for these pupils, however we will work with families and pupils to support improved attendance whilst being mindful of the additional barriers faced. We can discuss reasonable adjustments and additional support from external partners, where appropriate.

In very exceptional circumstances, where it is in a pupil’s best interests, there may be a need for a temporary part-time table to meet a child’s individual needs. A part-time timetable will be in place for the shortest time necessary and there will be formal arrangements for regularly reviewing it with the parents. In agreeing to a part-time timetable, a school has agreed to a pupil being absent from school for part of the week or day and therefore this absence will be treated as authorised.

Under the DfE’s statutory guidance, schools are required to submit a sickness return to the Local Authority for all pupils who have missed/are likely to miss 15 or more school days (consecutive or cumulative) due to medical reasons/illness.

Legislation and Guidance

In 2024 new legislation was passed. The School Attendance (Pupil Registration) (England) Regulations 2024 introduced a National Framework in England. By law all children of compulsory school age must receive an appropriate full-time education (Education Act

1996). Parents have a legal duty to ensure their child attends school regularly at the school at which they are registered.

Parents may be recognised differently under education law, than under family law. Section 576 of the Education Act 1996 states that a 'parent', in relation to a child or young person, includes any person who is not a parent (from which can be inferred 'biological parent') but who has parental responsibility, or who has care of the child.

A person typically has care of a child or young person if they are the person with whom the child lives, either full or part time and who looks after the child, irrespective of what their biological or legal relationship is with the child.

Persistent Absenteeism (PA) and Severe Absenteeism (SA)

A pupil is defined by the Government as a 'persistent absentee' (PA) when they miss 10% or more schooling across the year for whatever reason; this can be authorised or unauthorised absences. Absence at this level will cause considerable damage to any child's education and we need the parents fullest support and cooperation to tackle this.

A pupil is defined by the Government as a 'severe absentee' (SA) when they are absent from school more than they are present (those missing 50% or more of school).

We monitor all absence, and the reasons that are given, rigorously. If a pupil is seen to have reached the PA mark or is at risk of moving towards that mark, we will inform the parent. PA pupils are tracked and monitored closely. We also combine this with academic tracking where absence affects attainment.

Where PA is identified, parents will be requested to attend a meeting with the Deputy Headteacher to draw up a plan of additional support for the family. This may include support from the School Nurse, Early Help team or other relevant agencies. An attendance target will be set and this will be closely monitored until attendance improves.

If there is not improvement in attendance then a Fixed Penalty Notice may be issued along with a referral to the Pupil Entitlement Team or Social Care.

Where attendance has fallen to the severe absence (SA) level, more intensive support is needed and a concerted effort is therefore needed across all relevant services to prioritise them. This may include specific support with attendance or a whole family plan, but it may also include consideration for an education, health and care plan or an alternative form of educational provision.

National Framework for Penalty Notices

There is now a single consistent national threshold for when a penalty notice must be considered by all schools in England, of 10 sessions (usually equivalent to 5 school days) of unauthorised absence within a rolling 10 school week period. The 10 sessions of absence do not have to be consecutive and can be made up of a combination of any type of unauthorised absence (G, O and/or U coded within the school's registers). The 10-school week period can span different terms, school years or education settings.

Sanctions may include issuing each parent (for each child) with a Penalty Notice for £160, reduced to £80 if paid within 21 days (for the first offence). A second Penalty Notice issued within a three-year period will result in a fine of £160 per parent, per child. If a third offence is committed the matter may be referred to the local authority for consideration of prosecution via the Magistrates Court. If prosecution is instigated for irregular school attendance, each parent

may receive a fine of up to £2500 and/or up to 3 months in prison. If a parent is found guilty in court, they will receive a criminal conviction.

As mentioned previously there is no entitlement in law for pupils to take time off during the term to go on holiday or other absence for the purpose of leisure or recreation, or to take part in protest activity in school hours. In addition, the Supreme Court has ruled that the definition of regular school attendance is “in accordance with the rules prescribed by the school.”

The School Attendance (Pupil Registration) (England) Regulations 2024 set out the statutory requirements for schools. All references to family holidays and extended leave have been removed. The amendments specify that headteachers may not grant any leave of absence during term time unless there are "exceptional circumstances" and they do not have any discretion to authorise up to ten days of absence each academic year.

It is a rule of this school that a leave of absence shall not be granted in term time unless there are reasons considered to be exceptional by the headteacher, irrespective of the child's overall attendance. Only the headteacher or his/her designate (not the local authority) may authorise such a request and all applications for a leave of absence must be made in writing, in advance, on the prescribed form provided by the school (see Appendix B). The school will usually consider that the parent who has made the application is therefore allowing the leave of absence, and also that all parents who are on the holiday are allowing the leave. Where a parent removes a child after their application for leave was refused or where no application was made to the school, the absence will be recorded as unauthorised. It is likely that penalty notices will be requested, in line with the National Framework and West Sussex Code of Conduct (Appendix A), in respect of each parent believed to have allowed the absence.

At East Preston Infant 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 (as determined by the headteacher). 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, outside of school term time, regardless of who has planned or paid for the holiday or absence (including grandparents or other family or friends).

The headteacher/school may discuss the leave of absence request with other education settings and/or the Local Authority to determine any exceptional circumstances.

If leave of absence is authorised, the school will not provide work for children to do during their absence. Parents are however advised to read with their children and encourage them to write a diary while they are away.

Deletion from Roll

Except at the end of Year 2, parents wishing to remove their child from the school will be asked to inform the school in writing (this can be through email), providing a forwarding address and details of the school to which the child is expected to transfer. We ask that you provide school with the following information: Child's name, class, date of leaving, new home address, name of new school, address of new school. This information is essential to ensure that we know the whereabouts and may appropriately safeguard all of our pupils, even those who leave us. It is crucial that parents keep school updated with current addresses and contact details for the pupil and key family members, in case of emergency.

In the case of families electing to home educate, notice should be given in writing to the school of this decision. The school has a duty to report this change to the local authority.

Under Pupil Regulations 2006, all schools are now **legally required** to notify their Local Authority of **every new entry** to the admission register **within five days** of the pupil being enrolled. In addition to this, **every deletion** from the school register must also be notified to the Local Authority, as soon as the ground for deletion has been met in relation to that pupil, and in any event no later than the time at which the pupil's name is deleted from the register. This duty does not apply when a pupil's name is removed from the admission register at a standard transition point – when the pupil has completed the final year of education normally provided by that school (Year 2)

Pupils leaving the school cannot be removed from the school roll until such time as it is confirmed that they are enrolled in another school, or in accordance with the advice of the Children Missing Education team.

Absence data

We use data to monitor, identify and support individual pupils or groups of pupils when their attendance needs to improve, and schools are required to submit pupil attendance data to the Department for Education on a daily basis Education (Information about Individual Pupils) (England) (Amendment) Regulations 2024. Persistently and severely absent pupils are tracked and monitored carefully. We also combine this with academic tracking, as increased absence affects attainment.

We share information and work collaboratively with other schools in the area, local authorities, and other partners, when absence is at risk of becoming persistent or severe.

Code of Conduct

Penalty Notices to Address unauthorised absence from School or Alternative Provision and when present in a public place during school hours when suspended or excluded from School or Alternative Provision

Rationale

1. The purpose of this Code of Conduct is to ensure that the associated powers are applied consistently and fairly across the Local Authority area. The Code set out the arrangements for administering Penalty Notices in West Sussex County Council and must be adhered to by anyone issuing a Penalty Notice. The Code complies with relevant regulations and the Department for Education's (DfE's) National Framework for Penalty Notices as set out in the [Working together to improve school attendance](#) guidance.
2. Research published by the Department for Education in May 2022 found pupils with higher attainment at KS2 and KS4 had lower levels of absences over the key stage compared to those with lower attainment.
 - Pupils who did not achieve the expected standard in Reading, Writing and Maths in 2019 had an overall absence rate of 4.7% over the key stage, compared with 3.5% among pupils who achieved the expected standard and 2.7% among those who achieved the higher standard.
 - Pupils who did not achieve grade 9 to 4 in English and Maths GCSEs in 2019 had an overall absence rate of 8.8% over the key stage, compared with 5.2% among pupils who achieved a grade 4 and 3.7% among pupils who achieved grade 9 to 5 in both English and maths.
3. For the most vulnerable pupils, regular attendance is also an important protective factor and often the best opportunity for needs to be identified and support provided.
4. Where difficulties arise with school attendance, professionals should take a 'support first' approach in line with the DfE's 'Working together to improve school attendance' guidance, only resorting to legal enforcement when necessary.
5. The National Framework for Penalty Notices is based on the principles that Penalty Notices should only be used in cases where:
 - a. Support is not appropriate (e.g., a term time holiday) or where support has been provided and not engaged with or not worked, and
 - b. They are considered the most appropriate tool to change parental behaviour and improve attendance for that particular family.

Legal Basis

6. An offence occurs:
 - a. if a parent/carer fails to secure a child's regular attendance at school, or alternative provision, at which they are a registered pupil and that absence is not authorised by the school, or alternative provision. The Penalty Notice is a Notice offering a person the opportunity of discharging any liability to conviction for the offence under S.444(1) Education Act 1996 to which the Notice relates by payment of a Penalty in accordance with the Notice.

- b. If a parent/carer fails to fulfil their responsibilities to ensure their child is not out in a public place without reasonable justification during the first five days of every suspension or exclusion from school as outlined in S.103 of the Education And Inspections Act 2006.
- 7. The Education (Penalty Notices) (England) Regulations 2007 (and subsequent amendments) set out how Penalty Notices for school absence must be used.
- 8. Penalty Notices can only be issued in relation to pupils of compulsory school age in Maintained Schools, Pupil Referral Units (PRU's), Academy Schools, Alternative Provision (AP) Academies, and certain off-site places as set out in section 444A(1)(b) Education Act 1996.
- 9. The National Framework for Penalty Notices is published in statutory guidance 'Working together to improve school attendance'. This provides further national guidance on the operation of Penalty Notice schemes for school absence in England.
- 10. Penalty Notices will usually be issued to the parent or parents with day to day responsibility for the pupil's attendance or the parent or parents who have allowed the absence (regardless of which parent has applied for a leave of absence). A parent is defined in S.576 Education Act 1996 and includes:
 - a. All natural parents
 - b. Any person who is not a natural parent who holds parental responsibility for the child.
 - c. Any adult who is considered to have care of the child.

In accordance with the definition of parent within the Education Act 1996, and thereby parental responsibility for non-school attendance, more than one person may be liable for the offence. In such circumstances, separate Notices will be issued to each person. Penalty Notices are therefore issued per parent, per child.

- 11. Penalty Notices will be issued by First Class post to satisfy evidential requirements/standards. Any Notice sent in this way is considered legally served by the Court. Penalty Notices may also be issued by email should a parent have asserted they will accept this method of correspondence.

Authorisation

- 12. A Penalty Notice can only be issued by an Authorised Officer; namely a Head Teacher or Deputy or Assistant Head authorised by them, an authorised Local Authority Officer, or a Police Constable.
- 13. Although professionals other than those within the Local Authority are accredited persons within the legislation, able to issue Penalty Notices, there is no requirement for them to do so. Within West Sussex it has been agreed Pupil Entitlement: Investigation (PEI) will issue Penalty Notices for education offences on behalf of schools and the Authorised Officer will be a member of PEI. This ensures consistency and will prevent conflict with other enforcement sanctions.

Criteria for Issuing Penalty Notices

- 14. PEI will act upon requests made by schools, academies or alternative education provided and Sussex Police, provided the Governments National Framework threshold has been met. This is reached when a pupil has been recorded as absent without authority for 10 sessions (a school day is made up of 2 sessions) within a 10 school week period. Unauthorised absence is evidenced by the presence of one of, or a combination of the following codes in the child's record of attendance. These codes are stated in the School Attendance (Pupil Registration) (England) Regulations 2024:
 - a. Code **G** – the pupil is absent without permission for the purpose of a holiday.

- b. Code **N** – the circumstances of the pupil’s absence have not yet been established.
 - c. Code **O** – the pupil is absent without Authority and none of the other registration codes within the 2024 Regulations applies.
 - d. Code **U** – the pupil attended school after the taking of the register ended but before the end of the relevant sessions, and no other code within the regulations applies.
15. PEI will also act upon notifications from schools of incidents of an excluded pupil; Code **E** - being present in a public place during school hours without reasonable cause. There National Framework threshold does not apply in these cases.
 16. If in an individual case the Local Authority (or other authorised officer) believes a Penalty Notice would be appropriate, they retain the discretion to issue one before the National threshold is met.
 17. If repeated Penalty Notices are being issued and they are not working to change behaviour, they are unlikely to be most appropriate tool. The National Framework for Penalty Notices sets out that a maximum of 2 Penalty Notices per child, per parent can be issued within a rolling 3-year period. If the National threshold is met for 3rd time (or subsequent times) within 3 years alternative intervention may be considered. This might include prosecution or one of the other attendance legal interventions available to the Local Authority. The decision on the type of intervention is for the Local Authority to decide.
 18. Where families have moved into the Local Authority enquires will be made with past Local Authority’s to ascertain if FPNs have been issued for school absence offences.
 19. For the purpose of the escalation process, previous Penalty Notices include those not paid (including where prosecution was taken forward if the parent pleaded or was found guilty) but not those which were withdrawn. Penalty Notices issued prior to 19/08/2024 will not count toward the escalation process.

Notice to Improve

20. Schools are required where suitable to issue parents with a Notice to Improve for absence other than those associated with an unauthorised holiday in term time and when a pupil is present in a public place. This is a final opportunity for a parent to improve attendance and engage in support before a Penalty Notice is issued. If the National threshold has been met and support is appropriate but offers of support have not been engaged with by the parent or have not worked, a Notice to Improve should be sent to the parents as a final chance to engage.
21. Schools may choose not to offer a Notice to Improve if they do not expect it to have any impact on a parent’s behaviour (e.g., because the parent has already received one for a similar offence) and when this occurs the expectation is for the school to address their rationale in any referral submission to the Local Authority.
22. The recommended length of the improvement period should be between 3 to 6 weeks. This period is flexible, and a referral may be made to the Local Authority prior to the conclusion of the period, should circumstances dictate e.g., the parent fails to engage and/or the absence continues.
23. It is the school’s decision on what sufficient improvement amounts to. For example, it might be no further unauthorised absences within the improvement period, or a sufficient amount of improvement tailored to the family.

Considerations Prior to the Issue of a Penalty Notice

24. PEI will consider the following before issuing a Penalty Notice to ensure consistency of approach:

a. Holidays in term time (G codes).

- Whether a Penalty Notice is the best available tool to improve attendance and change parental behaviour. Where instances of absences of 15 school days (30 sessions) or more a Penalty Notice is not offered and instead the matter is to be referred to the Courts.
- Whether the issuing a Penalty Notice in this case is appropriate after considering any obligations under the Equality Act 2010.
- Whether it is in the public interest to issue a Penalty Notice in this case given the Local Authority would be accepting responsibility for any resulting prosecution for the original offence in cases of non-payment.

b. Unauthorised Absence (O, U & N).

- History of attendance of the pupil concerned including previous referrals to the Local Authority.
- Review whether the school has offered proportional support and whether that support has worked or not, including the communication with parents by phone, letter or in person.
- The level of engagement of the parent/pupil regarding the absences.
- The reasons offered by the parent for the absences.
- Whether the Penalty Notice the best available tool to improve attendance and change parental behaviour for this particular family or would one of the other legal interventions be more appropriate?
- Whether the issuing of a Penalty Notice in this case is appropriate after considering any obligations under the Equality Act 2010.
- Is it in the public interest to issue a Penalty Notice in this case given the Local Authority would be responsible for any resulting prosecution for the original offence in cases of non-payment?

c. Excluded pupils in a public place.

- Evidence of the notification to parents of their responsibilities whilst the exclusion is in place.
- Evidence presented in respect of the pupil being in a public place during school hours.
- Information relating to any reason apparent/offered for the pupil being in the public place, to assist in ascertaining if there was reasonable justification.

Outcome of Penalty Notices

25. The Local Authority will notify the schools of instances where an offered FPN is not paid, withdrawn, or resulted in a prosecution in respect of the offence under S.444 Education Act 1996. This notification will be achieved by email contact to the referring school.
26. Where pupils move between Local Authority areas, West Sussex can be contacted on crossborder.PenaltyNotice@westsussex.gov.uk to find out if Penalty Notices have been issued previously.
27. Where pupils attend school in West Sussex and live in a different Local Authority, West Sussex will liaise with the home Local Authority to advise of the actions taken and outcome.

Withdrawal of Penalty Notices

28. There is no inherent right to appeal a Penalty Notice. Once issued a Penalty Notice can only be withdrawn in the following circumstance.
 - The Penalty Notice has not been issued in accordance with the Code of Conduct.
 - Evidence has been established the Penalty Notice was issued to the wrong person.

- Material errors have been identified in the information leading to the issue of the Penalty Notice.
- The period for payment has expired and the Local Authority does not intend to instigate legal proceedings for which the Penalty Notice relates.

Cost and Payment of Penalty Notices

29. The amount of the Penalty Notice is set out by Government and is subject to change should the Government direct. The current cost of the Penalty Notice is £160 and, in some cases, an early payment of £80 would be offered should circumstances permit. Details of the cost of the Penalty Notice will be outlined clearly within it.
30. The National Framework has stipulated revenue generated from Penalty Notices, must be used to cover the costs of issuing, and enforcing these, including the cost of prosecuting recipients who do not take up the offer of the FPN. Any surplus income must be ring fenced for attendance support.

Non-Payment of Penalty Notices

31. If the Penalty Notice is not paid in full by the end of the 28 day period, the Local Authority must either:
 - a. Prosecute for the offence to which the Notice applies. The prosecution relates to irregular school attendance under Section 444 of the Education Act 1996, or in instances of a child being in a public place whilst excluded under S.103 of the Education And Inspections Act 2006.
 - b. Consider the use of a formal Caution as an alternative method of disposal.
 - c. Withdraw the Penalty Notice when circumstance indicate this is suitable.
32. A record will be kept of all FPNs issued, and all prosecutions relating to offence for which a Penalty Notice was issued.

Appendix B:

THE ANGMERING LOCALITY: WORKING TOGETHER ON PUPIL ATTENDANCE



REQUEST FOR ABSENCE FROM LEARNING IN SCHOOL TIME

CHILDREN ARE **ONLY** IN SCHOOL FOR 190 DAYS EACH YEAR. THERE ARE **175 OTHER DAYS** FOR HOLIDAYS AND OTHER ACTIVITIES.

80% ATTENDANCE REPRESENTS 1 DAY OFF A **WEEK**. 90% ATTENDANCE REPRESENTS 1 DAY OFF PER **FORTNIGHT**.

PARENT/GUARDIAN NAME AND ADDRESS		HOW TO USE THIS FORM	
		<ul style="list-style-type: none"> • Use for all absence other than sickness • Return to school well in advance of the date of requested absence • Use a separate form for each child and each absence 	
<p>The law states that parents must ensure their children regularly attend school to receive their education. The department for education states that Headteachers may not grant any leave of absence during term time unless there are exceptional circumstances. Exceptional is likely to be rare, significant, unavoidable and short. The current law does not give any entitlement to parents to take their child on holiday during term time.</p> <p>Please note that having already booked a holiday will not be considered as a good reason for term time absence. In relation to 'unavoidable' absence, the Headteacher will consider whether the event could have reasonably been scheduled at another time. Issues of cost will not be considered as an exceptional reason.</p>			
Name of Child:		Class:	
Is this the first request for absence this academic year? YES / NO			
Dates requested (from:) (to):		Date expected back in school:	Number of school days requested:
Reason for request for absence from learning – If you wish for this absence to be authorised, you will need to fully explain why the circumstances of this absence are exceptional (continue overleaf if necessary). Please also provide copies of appropriate evidence.			

I will also be making an Absence Request for children at the following schools (please list the school & names of child/ren)

Signed: _____ Date: _____

SCHOOL OFFICE TO COMPLETE THIS SECTION

Current Academic Year Attendance:	%	Last Academic Year Attendance	%
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HEADTEACHER TO COMPLETE THIS SECTION

<input type="checkbox"/> Your request is approved and the absence as set out above is duly authorised .	Typical codes placed in the register will be:	
	Attending education at another site	B
<input type="checkbox"/> Your request is not approved . If the pupil is absent as proposed above it will be recorded as unauthorised .	Exceptional circumstances	C
	Approved sporting activity	P
	Religious observance	R
	Unauthorised holiday absence	G
	Unauthorised absence	O

Reason:

- Legally unable to authorise holiday
- No exceptional circumstances
- Other:

	Rare
	Short
	Significant
	Unavoidable

Signed: _____ Date: _____

**Regular attendance at school is important for your child's education and is a legal requirement.
Responsibility of this rests with the parents.
Only the school, not the parents, can authorise absence.**

Appendix C- Useful Links

NHS- Is my child too ill for school? <https://www.nhs.uk/live-well/is-my-child-too-ill-for-school/>

DFE- School attendance and absence: <https://www.gov.uk/school-attendance-absence>

DFE- [Working together to improve school attendance](#)



Attendance Matters

WHY IS GOOD ATTENDANCE IMPORTANT?



Regular attendance is essential for children to achieve their full potential. Research shows that pupils with higher attendance do better in school and achieve better grades. Regular attendance is essential for children to get the most out of their school experience including attainment, wellbeing, and wider life chances.

WHAT DOES THE LAW SAY?

The law in the UK requires that all children between the ages of 5 and 16 attend school regularly. As a parent or carer, it is your responsibility to make sure your child attends school every day unless there is a valid reason for absence, such as illness. The government guidance for Term Time Leave and Irregular Attendance changed on August 19th 2024, along with Penalty Notice Fines.



CAN WE TAKE A HOLIDAY?

Schools have a legal duty to make sure that children attend school regularly. Taking your child out of school during term time can have a negative impact on their friendships, learning and progress. Permission for a holiday during term time can only be granted in exceptional circumstances. If you take your child out of school without permission, this will be recorded as an unauthorised absence and could result in a Penalty Notice Fine. It's important to plan holidays around school breaks, so your child doesn't miss out on important lessons and activities.

WHAT ABOUT MEDICAL APPOINTMENTS?

We encourage parents to make medical or dental appointments outside of school hours. If this is not possible, parents should get the school's agreement in advance and the child should only be out of school for the minimum amount of time necessary for the appointment. It's important to remember that regular attendance at school is important for your child's education and future success.

HOW CAN WE HELP?

- Encourage good attendance by making sure your child attends school regularly and is on time.
- Inform us on the first day of absence and keep us up to date.
- Tell us if you are struggling, we are here to help.

Below 95% =
First Wave of involvement



Below 90% =
Persistence Absence



Equates To:		100%	OUTSTANDING
4	School Improvement plan	98%	VERY GOOD
7	Good school	96%	GOOD
10	School Improvement plan	95%	ALMOST THERE
11	School Improvement plan	94%	IMPROVEMENT NEEDED
20	School Improvement plan	90%	CONCERNED
25	School Improvement plan	85%	VERY CONCERNED

NATIONAL CHANGES TO SCHOOL ATTENDANCE

From September 2024 there is a new National Framework for Penalty Notices coming into effect for Penalty Notice Fines issued after 19th August 2024

THE GUIDANCE FOR PENALTY NOTICE FINES IS CHANGING

Penalty Notice Fines will now be issued to each parent, for each child who was absent from school.

For example.: 2 siblings absent in term time for a holiday would result in each parent receiving 2 separate fines.



FINES WILL BE ISSUED:



Penalty Notice Fines will be issued for Term Time Leave of 5 or more consecutive days. INSET days can be included in this where there was intent to be absent.

If there are 10 sessions of unauthorised absence in a 10-week period

Penalty Notice Fines will be considered when there has been 10 sessions of unauthorised absence in a 10 week period.

FIRST OFFENCE

The first time a Penalty Notice is issued for Term Time Leave or Irregular Attendance the amount will be:

£160 per parent, per child paid within 28 days.

Reduced to £80 per parent, per child, if paid within 21 days.



SECOND OFFENCE



If, within 3 years, a second Penalty Notice is issued for Term Time Leave or Irregular Attendance the amount will be:

£160 per parent, per child paid within 28 days with no reduction.

THIRD OFFENCE

If, within 3 years, a further Penalty Notice is issued for Term Time Leave or Irregular Attendance a Penalty Notice Fine will not be issued, the case will be presented to the Magistrates Court. Fines can be up to £2,500 per parent, per child.

If there is a absence for holiday for 15 school days or more for a holidaythe ma tter will be referred directly to the Courts.

Appendix D- Attendance and Absence Codes

Attendance & Absence Codes for 01/09/2024 onwards

Code	Meaning
/	Morning session – present at the school when attendance register begins to be taken
\	Afternoon session – present at the school when attendance register begins to be taken
B	Attending a place for any other approved educational activity
C	Absent with leave for other circumstances
C1	Absent with leave for the purpose of participating in a regulated performance
C2	Absent with leave, of compulsory school age and temporary reduced timetable does not require them to attend
D	Attending another school at which they are a registered pupil
E	Excluded from the school
G	Absent without leave for the purpose of a holiday
H	****WITHDRAWN NO LONGER IN USE**** prior to 01/09/24 denotes an agreed (authorised) holiday in term time.
I	Unable to attend because of sickness
J	Approved education activity as pupil is attending interview
J1	Absent with leave for the purpose of attending an interview for employment or for admission to another educational institution
K	Attending a place, other than the school or another school at which they are a registered pupil, for educational provision arranged by LA (under section 19(1) of the Education Act 1996 or section 42 of the Childrens and Families Act 2014). Where schools use code K, they must also record the nature of the educational activity
L	Absent from the school when attendance register begins to be taken but attends before the taking of the register has ended
M	Absent with leave for the purpose of attending a medical or dental appointment
N	Absent - circumstances not yet established
O	Absent - other circumstances
P	Attending a place for an approved educational activity that is a sporting activity
Q	Unable to attend because of lack of access arrangements by LA to facilitate their attendance
R	Day exclusively set apart for religious observance by the religious body to which the parent belongs
S	Absent with leave for the purpose of studying for a public examination
T	Mobile child whose parent is travelling in the course of their trade or business and is travelling with that parent and the child is considered a 'mobile child' and deemed to be of no fixed abode - waiting on further clarity from DfE as to what is a 'mobile child'.
U	Absent for registration - arrived in school after registration closed
V	Attending a place for an approved educational activity that is a visit or trip
W	Attending a place for an approved education activity that is work experience
X	Absent with leave, not of compulsory school age and timetable does not require them to attend

Y1	Unable to attend because school is not within walking distance of pupil's home and transport to and from school normally provided is not available
Y2	Unable to attend due to widespread disruption to travel caused by a local, national, or international emergency
Y3	Part of the school premises is unavoidably out of use and pupil cannot be accommodated in parts of the premises that remain in use
Y4	Whole school closed when school was due to meet for a session, but session has been cancelled
Y5	Unable to attend because pupil is subject to a sentence of detention
Y6	Travel to or attendance at school would be contrary/prohibited by guidance/law relating to incidence or transmission of infection or disease
Y7	Unable to attend because of any other unavoidable cause
Z	Pupil's name entered in advance of start date **
#	Planned whole school closure – no session to take place **