

Brookside Primary School

Attendance Policy

This Policy must be read alongside the Issuing Penalty Notices for unauthorised absence from schools

Based on the OCC model policy June 2024
Written – September 2024
Adopted – 1st October 2024

Introduction:

This is a successful school and your child plays their part in making it so. We aim for an environment which enables and encourages all members of the community to reach out for excellence. For children to gain the greatest benefit from their education it is vital that they attend regularly and your child should be at school, on time, every day the school is open unless the reason for the absence is unavoidable.

It is very important therefore that you make sure that your child attends regularly and this Policy sets out how together we will achieve this.

Why Regular Attendance is so important:

Any absence affects the pattern of a child's schooling and regular absence will seriously affect their learning. Any pupil's absence disrupts teaching routines so may affect the learning of others in the same class. Children are best safeguarded from exploitation and other risks in the wider community by attending school regularly where they are supervised by qualified and caring professionals.

Ensuring your child's regular attendance at school is your legal responsibility and permitting absence from school without a good reason creates an offence in law and may result in prosecution.

This policy works to meet the mandatory requirements laid out in [Working together to improve school attendance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/working-together-to-improve-school-attendance)

Promoting Regular Attendance:

Helping to create a pattern of regular attendance is everybody's responsibility - parents, pupils and all members of school staff.

To help us all to focus on this we will:

- Give you details on attendance in our regular newsletters;
- Report to you at least termly on how your child is performing in school, what their attendance and punctuality rate is and how this relates to their

attainments. This is done through two parent consultations and an annual written report;

- Celebrate good attendance;
- Run promotional events when parents, pupils and staff can work together on raising attendance levels across the school;
- Provide support from the pastoral team to pupils and their parents when their attendance is of concern;
- Provide referrals to the School Health Nurse if poor attendance is related to the health and wellbeing of the pupil;
- Gain support from the OCC Attendance team when needed

School targets, projects and special initiatives:

The school has targets to improve attendance and your child has an important part to play in meeting these targets.

The minimum level of attendance for this school is 95% attendance and we will keep you updated regularly about progress to this level and how your child's attendance compares.

Our target is to achieve better than this however because we know that good attendance is the key to successful schooling and we believe our pupils can be amongst the best in Oxfordshire.

Through the school year we monitor absences and punctuality to show us where improvements need to be made.

Information on any projects or initiatives that will focus on these areas will be provided in our newsletter and we ask for your full support.

We analyse all absence carefully and draw trends based on pupils' characteristics, vulnerabilities, days of the week, subjects missed and repeat illnesses. We focus our attention on addressing these trends of absence.

Understanding types of absence:

Every half-day absence from school has to be classified by the school (not by the parents), as either AUTHORISED or UNAUTHORISED. This is why information about the cause of any absence is always required, preferably in writing.

Authorised absences are mornings or afternoons away from school for a good reason like illness, medical/dental appointments which unavoidably fall in school time, emergencies or other unavoidable cause. If this occurs, school will require evidence of the appointment to be able to authorise the absence. Routine dental

check ups should be made after school or during school holidays and will not be considered authorised absences.

Unauthorised absences are those which the school does not consider reasonable and for which no "leave" has been given. This type of absence can lead to the Local Authority (County Attendance Team) using sanctions and/or legal proceedings. This includes:

- Parents/carers keeping children off school unnecessarily
- truancy before or during the school day
- absences which have never been properly explained
- children who arrive at school late after the register has closed and are therefore given an unauthorised absence mark
- shopping, looking after other children or birthdays
- day trips and holidays in term time which have not been agreed
- excessive illness without medical evidence

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

You can support your child by:

- Ensuring regular and early bedtimes
- Helping with homework
- Having uniform and equipment prepared the night before
- Providing a healthy breakfast
- Reporting any academic or social concerns promptly
- Retaining open & honest communication with your child's school
- Being positive about school (even if your own experience was less than positive)

Exceptional Leave:

Taking holidays in term time will affect your child's schooling as much as any other absence and we expect parents to help us by not taking children away in school time. Remember that any savings you think you may make by taking a holiday in school time are offset by the cost to your child's education.

There is **no** automatic entitlement in law to time off in school time to go on holiday and the school may request for a Penalty Notice to be issued.

1. It is widely known that the link between a pupil's attendance and attainment is irrefutable.
2. Early poor attendance habits follow through into secondary school, further education and employment.
3. All schools in Oxfordshire are encouraged to adopt a policy of not authorising requests for holidays.

4. The Head Teacher or designated representative will meet personally with every family applying for Exceptional Leave to stress the importance of good school attendance habits and links between attendance & attainment.
5. Exceptional leave is most unlikely to be authorised when a pupil's attendance is less than 96%.
6. Exceptional leave should always be refused when school is aware of any truancy.
7. Exceptional leave should always be refused when requests are regular (annual) or when patterns become identifiable.
8. Reasons for Exceptional Leave should be logged on the pupil's record and shared as part of the transfer/transition process.

If you think your child is entitled to exceptional leave, or are taking a term time holiday (unauthorised), please complete the request which is available in the carousel in the school office. By completing this form you need to realise you may be referred to the Local Authority for a Penalty Notice to be issued. If you fail to complete the form before an absence it is not possible for this to be authorised.

The Penalty is £80 if paid within 21 days of receipt of the notice, increasing to £160 if paid between day 21 and day 28. This amount is prescribed by the Education Penalty Notices (England) Regulations 2007. Failure to pay a Penalty Notice within the prescribed period may result in prosecution for the underlying offence of failure to secure regular school attendance.

Any second penalty notice issued to the same parent for the same child within a rolling 3 year period will be charged at a higher rate of £160 with no option for this second offence to be discharged at the lower rate of £80. (The three-year period begins from the date of the first penalty notice issued on or after 19 August 2024)

Please note: Penalty Notices are issued per parent/per child.

Absence Procedures:

If your child is absent you must:

- Contact us as soon as possible on the first day of absence with the reason for the non attendance
- Contact can be made by email or by calling the school office and pressing the appropriate number for the absence line. A reason should be provided and the name of the person reporting should be given alongside the name and class of the child
- Or you can call into school and report to reception, who will arrange for a member of staff to speak with you
- Be honest about the reason for absence including if you are on holiday.

If your child is absent we will:

- Email you on the first day of absence if we have not heard from you
- Call you if you do not react to the email
- Visit you at home if we have not heard from you by day 3 of absence
- Visit your home if we are concerned about the welfare of your child
- Follow School Attendance processes including inviting the parent/carer to a meeting in the school to identify the barriers to attendance and ensure

support is put in place

- Offer a Strengths and Needs form to be completed by the Home School Link Worker to further discuss attendance
- Gain the voice of the child to ensure we are taking a child centred approach.
- Refer the matter to the County Attendance Team if attendance moves below 90%.

Contact details:

There are times when we need to contact parents about lots of things, including absence, so we need to have your current contact numbers and email addresses at all times. So, help us to help you and your child by making sure we always have an up to date number and email address – if we don't then something important may be missed. There will be regular checks on contact details throughout the year. Please ensure we have both parents and at least a third emergency contact person's contact details.

Lateness:

Poor punctuality is not acceptable. If your child misses the start of the day they can miss work and do not spend time with their class teacher getting vital information and news for the day. Late arriving pupils also disrupt lessons, it can be embarrassing for the child and can also encourage absence.

How we manage time keeping:

The school day starts at 8.45 **a.m.** and we expect your child to be in class at that time. If your child arrives to school and registration as expected, they will receive a present mark (**/**)

Registers are marked by 8.55 **a.m.** and your child will receive a late mark (**L**) if they are not in by that time.

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

Whilst there is no mandatory time for **pm** registration, the school will seek to take the register directly following the lunchtime period at 1pm in EYFS/KS1 and 1.15pm in KS2 in order to support safeguarding and early identification of pupils who are late to return or whom do not return. If your child is present for this registration they will be marked (****)

If your child has a persistent late record you will be asked to meet with a member of the School Leadership Team and/or Home School Link Worker to resolve the problem, but you can approach us at any time if you are having problems getting your child to school on time.

Persistent Absenteeism (PA):

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

We monitor all absence thoroughly. Any child that is seen to have reached the PA threshold or is at risk of moving towards that threshold is given priority and you will be informed of this immediately.

PA pupils are tracked and monitored carefully through our pastoral system and we also combine this with academic mentoring where absence affects attainment.

All our PA pupils and their parents are subject to an Action Plan and the plan may include allocation of additional support through a Learning Mentor or Home School Link Worker, use of circle time, individual incentive programmes and participation in group activities around raising attendance. All PA cases are also automatically made known to the County Attendance team. If your child becomes a PA pupil, we will seek your consent to complete a Strengths and Needs form with you and consider convening a Team Around the Family. This will be done in liaison with Oxfordshire County Council Locality and Community Support Service.

Severe Absenteeism (SA):

A pupil becomes a 'severe absentee' when they miss 50% or more schooling across the school year for any reason. Absence at this level is doing significant damage to any child's academic and social progress will can have lifelong consequences.

All SA pupils at our school will have an Individual Attendance Plan which will incorporate multi-agency input. You will be expected to engage with all partners to improve your child's attendance to 96+%. SA pupils are our highest priority at our school.

The County Attendance Team:

Parents are expected to contact school at an early stage and to work with the staff in resolving any problems together. This is nearly always successful. If difficulties cannot be sorted out in this way, the school may refer the child to the County Attendance Team at Oxfordshire County Council for consideration of legal proceedings.

At the school's request, they may issue a Penalty Notice per parent/carer, Or take action via a Non-Attendance referral, the legislation is the Education Act 1996 sec. 444(1) and 444(1A).

The County Attendance Team, with the school, will encourage you to engage with a Strengths and Needs form. Education Supervision Orders may be discussed with you to support rapidly improved attendance.

Parents that have previously been issued with Penalty Notices for their children's

unauthorised absences, in the event of further unauthorised absences may receive summonses to Court.

Alternatively, parents or children may wish to contact the County Attendance Team themselves to ask for help or information. They are independent of the school and will give impartial advice. Their telephone number is 01865 323513
attendance@oxfordshire.gov.uk

Those people responsible for attendance matters in this school are:

Mrs Ashcroft, School Secretary
Mr Cornell, Headteacher
Mr Watt, Deputy Headteacher
Mrs Swinburn, Home School Link Worker
Mrs Beckett, Governor with responsibility for attendance

Summary:

The school has a legal duty to report and publish its absence figures and its attendance policy to parents and to promote attendance. School attendance data must be available to Oxfordshire County and the Department for Education. This information is shared daily with these agencies. Equally, parents have a duty to make sure that their children attend regularly and on time.

We have a lead Governor who scrutinises our attendance arrangements on behalf of all our pupils and parents.

All school staff are committed to working with parents and pupils as the best way to ensure as high a level of attendance as possible. Regular attendance supports optimising your child's attainment, mental health and social well-being.

Any parent whose child's attendance falls below 90% will be asked to sign the attendance policy below;

I have read and understood the terms and conditions of the attendance policy at Brookside School.

Signed:

Name:

Date:

Child's Name:

Year:

STATUTORY CODE OF PRACTICE

The County Attendance Team

Children Education and

Families Directorate

Issuing Penalty Notices for unauthorised absence from schools

August 19th 2024

Brookside Primary School
Approved by Pupil Support –8th July 24
Approved by FGB – 1st October 24

Local code of conduct for issuing penalty notices for school absence 2024

1. The purpose of this local code of conduct is to ensure that penalty notices for school absence are issued in a manner that is fair and consistent across Oxfordshire County Council. The code sets out the arrangements for administering penalty notices in Oxfordshire and must be adhered to by anyone issuing a penalty notice for school absence in this area. The code complies with relevant regulations and the Department for Education's national framework for penalty notices as set out in the 'Working together to improve school attendance' guidance.

Legal basis

2. Penalty notices may be issued to a parent as an alternative to prosecution for irregular school attendance under s444 of the Education Act 1996. They can only be issued in relation to pupils of compulsory school age in maintained schools, pupil referral units, academy schools, AP academies, and certain off-site places as set out in section 444A(1)(b).
3. The Education (Penalty Notices) (England) Regulations 2007 (and subsequent amendments) set out how penalty notices for school absence must be used.
4. A penalty notice can only be issued by an authorised officer: that is, a headteacher or a deputy or assistant head authorised by them, an authorised local authority officer or a police constable.
5. The national framework for penalty notices is published in statutory guidance 'Working together to improve school attendance'. It provides further national guidance on the operation of penalty notice schemes for school absence in England.
6. A parent includes any person who is not a parent but who has parental responsibility for the child or who has care of the child, as set out in section 576 of the Education Act 1996. 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).

Rationale

7. Research published by the Department for Education in May 2022 found pupils with higher attainment at KS2 and KS4 had lower levels of absence 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.
8. 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.
9. 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. The aim is that the need for legal enforcement is reduced by taking a supportive approach to tackle the barriers to attendance and intervening early before absence becomes entrenched.
10. The national framework for penalty notices is based on the principles that penalty notices should only be used in cases where:
 - support is not appropriate (e.g. a term time holiday) or where support has been provided and not engaged with or not worked, and
 - they are the most appropriate tool to change parental behaviour and improve attendance for that particular family.

When may a penalty notice for absence be appropriate?

11. When the national threshold has been met: when a school becomes aware that the national threshold has been met, they must consider whether a penalty notice can and should be issued or not. The national threshold has been met when a pupil has been recorded as absent for 10 sessions (usually equivalent to 5 school days) within 10 school weeks¹, with one of, or a combination of the following codes:

¹A school week means any week (Monday to Sunday) in which there is at least one school session. The 10 school-week period when the national threshold applies may span different terms or school years (e.g. 2 sessions of unauthorised absence in the Summer Term and a further 8 within the Autumn Term).

- (a) code G (the pupil is absent without leave for the purpose of a holiday),
- (b) code N (the circumstances of the pupil's absence have not yet been established),
- (c) code O (none of the other rows of Table 3 in regulation 10(3) of the School Attendance (Pupil Registration) (England) Regulations 2024 applies), and
- (d) code U (the pupil attended after the taking of the register ended but before the end of the session, where no other code applies)

12. During or following a truancy sweep: the LA or Police can issue a penalty notice, requests for consideration of a penalty notice fine must be made to the County Attendance Team within 10 days of the offence taking place.
13. When a pupil of compulsory school age is in a public place during school hours without reasonable justification during the first 5 school days of a fixed period or permanent disciplinary exclusion, under section 105 of the Education and Inspections Act 2006
14. 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 threshold is met.
15. 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 a third time (or subsequent times) within 3 years, the County Attendance Team will consider other legal interventions available to Oxfordshire County Council to ensure attendance at school.
16. 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 must not be issued when:

17. A pupil is 'Looked After' (as defined by law in the Children Act 1989), as other interventions should be used. In Oxfordshire, we use the term Child/ren We Care For.
18. It is clear that any legal and other requirements have not been complied with.

Key considerations prior to the issue of a Penalty Notice for school absence

19. The following considerations will be made before issuing (or requesting that another authorised officer issues) a penalty notice to ensure consistency of approach:

In cases where support is not appropriate (for example, for holidays in term time), consideration must be given on a case by case basis:

- Is a 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?
- Is issuing a penalty notice in this case appropriate after considering any obligations under the Equality Act 2010
- The Local authority is satisfied that the school's attendance policy articulates the use of the Penalty Notice process.
- **(For local authorities only)** Is it 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?

In cases where support is appropriate, consideration must be given on a case-by-case basis:

- Has sufficient support already been provided? Sufficient support will usually include:
- The use of a Strengths and Needs form to identify areas of need which may be impacting on school attendance and allow for appropriate support and intervention to be put in place, use of the Child and Family Developmental checklist, use of the Day in My Life tool to understand the lived experience of the child, a meeting with parent/carer/child with a view of implementing a formal attendance contract and liaison with relevant colleagues such as Health, Children's services and Police
- Is a 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?
- Is issuing a penalty notice in this case appropriate after considering any obligations under the Equality Act 2010

The LA will also give consideration to the following to support decision making.

- History of non-attendance
- Level of unauthorised absence
- Attendance of any siblings
- Parental engagement
- Actions taken by the school
- Professional involvement

Notice to Improve

20. A Notice to Improve is a final opportunity for a parent to engage in support and improve attendance 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 usually be sent to give parents a final chance to engage in support. An authorised officer can choose not to use one in any case, including cases where support is appropriate, but they do not expect a notice to improve would have any impact on a parent's behaviour (e.g. because the parent has already received one for a similar offence).

- Schools or Local Authority will issue the notice to improve after support (if appropriate) has been implemented and prior to a penalty notice being issued (if appropriate)
- The Notice to Improve should be issued with an identified improvement period of 6 weeks (60 sessions) in order to achieve sustained change. However, if unauthorised absence continues, the Local Authority will consider issuing a penalty notice after 3 weeks (30 sessions).
- If no further unauthorised absences within the improvement period are recorded after receipt of the Notice to Improve or there is a sufficient amount of improvement giving consideration to circumstances and the needs of the child/family.
- The issuing party (School or LA) are responsible for monitoring attendance over the identified Notice to improve period.
- The Headteacher or someone authorised by them must ensure that the pupil's registration certificate is correctly coded.

In addition:

A warning letter may not necessarily be considered appropriate for unauthorised holiday if the unauthorised absence was not expected by the Head Teacher.

Procedure for issuing Penalty Notices

21. In Oxfordshire, the County Attendance Team will issue Penalty Notices. If the correct procedure is not followed by schools, the County Attendance Team has discretion to decline the request or advise further action to be taken before a Penalty Notice is issued. This will avoid the possibility of inconsistent use of Penalty Notices across the county.
22. Penalty Notices will only be issued by first class post and never as an on the spot action (e.g. during a truancy sweep). This is to ensure that correct procedures are followed and to ensure staff safety.
23. Where schools, the police or neighbouring local authorities consider the issuing of a Penalty Notice is appropriate, this request will be investigated and actioned by the County Attendance Team
24. The County Attendance Team should respond to all requests within 10 working days of receipt, and where all criteria are met, will issue a Penalty Notice within 10 days.
25. Any school wishing to utilise the Penalty Notice tool to improve attendance needs to articulate this possibility in their school Attendance Policy which needs to be reviewed regularly, ratified by Governors and available to parents

How authorised officers will work together

26. Authorised officers should work together to ensure that penalty notices are used when likely to be effective and change behaviour.
27. An authorised officer is a headteacher or someone authorised by them (a deputy or assistant head), a local authority officer or the police.
28. Where the school or police request that the LA issues the penalty notice, they need to:
 - Schools must use the Establishment Portal to refer
 - Police will need to notify the County Attendance Team via email to crossborder.penaltynotices@oxfordshire.gov.uk identifying information may include, name, date of birth, School roll, time and place the pupil was found in public during school hours.
29. Whoever is requesting the penalty notice should make a decision as to whether proportionate support has been provided, and whether that support has worked or not. Where there is dispute, authorised officers are expected to defer to the local authority's judgement about whether sufficient support has been provided before issuing a penalty notice.

30. The LA will inform the school about whether penalty notices are paid, withdrawn or prosecuted for non-payment. They will do this by directly emailing the referring party.
31. Where pupils move between local authority areas, **Oxfordshire** can be contacted on **crossborder.penaltynotice@oxfordshire.gov.uk** to find out if penalty notices have been issued previously.
32. Where pupils attend school in **Oxfordshire** but live in a different Local Authority, Oxfordshire will seek to confirm existing support arrangements (if any) for the pupil and family with the home Local Authority prior to the issue of a Penalty Notice

Procedure for the Withdrawal of Penalty Notices

33. Once issued, a Penalty Notice must only be withdrawn in the following circumstances:
 - proof has been established that the Penalty Notice was issued to the wrong person;
 - that it contains material errors;
 - the Penalty Notice ought not to have been issued.

Payment of Penalty Notices

Arrangements about how to pay are outlined in Penalty Notice documentation.

34. Timely payment of a Penalty Notice discharges the parents' liability for the offence specified on the Penalty Notice. This means the parent cannot be prosecuted subsequently for the same period. However, the issue of an earlier Penalty Notice (or failure to pay) may be relevant to what action is taken over subsequent offences and this information may be given in evidence in any later court proceedings in accordance with relevant legal provisions.
35. The Penalty is £80 if paid within 21 days of receipt of the notice, increasing to £160 if paid between day 21 and day 28. This amount is prescribed by the Education Penalty Notices (England) Regulations 2007. Failure to pay a Penalty Notice within the prescribed period may result in prosecution for the underlying offence of failure to secure regular school attendance.
36. Any second penalty notice issued to the same parent for the same child within a rolling 3-year period will be charged at a higher rate of

£160 with no option for this second offence to be discharged at the lower rate of £80. (The three-year period begins from the date of the first penalty notice issued on or after 19 August 2024)

37. The County Council retains any revenue from Penalty Notices. This is used to off-set the cost of early intervention and prevention attendance work with parents and schools.

Signed



Joanna Goodey
Education Inclusion Manager

Dated: 25 June 2024

This Code of Conduct will be reviewed April 2025 or earlier in the event of a change in the pertinent legislation