Attendance Policy

September 2026-2027

This policy was agreed by the Governing Body of Grafton Primary School on:	September 2026
The next policy review is due to take place on:	September 2027
Governor (Name):	Sign:
Agreed by Headteacher: J Bana	
Staff responsible	P Winter

This policy covers many of the articles from the UN Convention on the Rights of the Child. Some key ones are listed below.

Article 28 – Every child has the right to an education.

1. Aims

We are committed to meeting our obligation with regards to school attendance, including those laid out in the Department for Education's (DfE's) statutory guidance on working together to improve school attendance (applies from 19 August 2024), through our whole-school culture and ethos that values good attendance, including:

- Setting high expectations for the attendance and punctuality of all pupils
- Promoting good attendance and the benefits of good attendance
- Reducing absence, including persistent and severe absence
- Ensuring every pupil has access to the full-time education to which they are entitled
- Acting early to address patterns of absence
- Building strong relationships with families to ensure pupils have the support in place to attend school

We will also promote and support punctuality.

2. Legislation and guidance

This policy is based on the Department for Education's (DfE's) statutory guidance on working together to improve school attendance (applies from 19 August 2024) and school attendance parental responsibility measures. The guidance is based on the following pieces of legislation, which set out the legal powers and duties that govern school attendance.

- Part 6 of The Education Act 1996
- Part 3 of The Education Act 2002
- Part 7 of The Education and Inspections Act 2006
- The Education (Pupil Registration) (England) Regulations 2006 (and 2010, 2011, 2013, 2016 amendments)
- The School Attendance (Pupil Registration) (England) Regulations 2024
- The Education (Penalty Notices) (England) (Amendment) Regulations 2013 and the 2024 amendment

It also refers to:

- School census guidance
- Keeping Children Safe in Education
- Mental health issues affecting a pupil's attendance: guidance for schools

Author: Paula Winter
Convention on the Rights of the Child Articles that this policy links to: 28

3. Roles and responsibilities

3.1 The Governing Board

The governing board is responsible for:

- Setting high expectations of all school leaders, staff, pupils and parents.
- Making sure school leaders fulfil expectations and statutory duties, including:
    - Making sure that the school records attendance accurately in the register, and shares the required information with the DfE and local authority
    - Making sure the school works effectively with local partners to help remove barriers to attendance, and keeps them informed regarding specific pupils, where appropriate.
- Recognising and promoting the importance of school attendance across the school's policies and ethos
- Making sure the school's attendance management processes are delivered effectively, and that consistent support is provided for pupils who need it most by prioritising staff and resources
- Making sure that the school has high aspirations for all pupils, but adapts processes and support to pupils' individual needs
- Regularly reviewing and challenging attendance data and helping school leaders focus improvement efforts on individual pupils or cohorts who need it most
- Working with school leaders to set goals or areas of focus for attendance and providing support and challenge
- Monitoring attendance figures for the whole school and repeatedly evaluating the effectiveness of the school's processes and improvement efforts to make sure they are meeting pupils' needs
- Where the school is struggling with attendance, working with school leaders to develop a comprehensive action plan to improve attendance
- Making sure staff receive adequate training on attendance as part of the regular continued professional development offer, so that staff understand:
    - The importance of good attendance
    - That absence is almost always a symptom of wider issues
    - The school's legal requirements for keeping registers
    - The school's strategies and procedures for tracking, following up on and improving attendance, including working with partners and keeping them informed regarding specific pupils, where appropriate
- Making sure dedicated training is provided to staff with a specific attendance function in their role, including in interpreting and analysing attendance data
- Holding the headteacher to account for the implementation of this policy

Our link governor for attendance is **Cllr S Ghani.**

3.2 The Headteacher

The headteacher is responsible for:

- The implementation of this policy at the school
- Monitoring school-level absence data and reporting it to governors
- Supporting staff with monitoring the attendance of individual pupils
- Monitoring the impact of any implemented attendance strategies

- Issuing fixed-penalty notices, where necessary, and authorising the designated senior leader to be able to do so
- Working with the parents of pupils with special educational needs and/or disabilities (SEND) to develop specific support approaches for attendance for pupils with SEND, including where school transport is regularly being missed, and where pupils with SEND face in-school barriers
- Communicating with the local authority when a pupil with an education, health and care (EHC) plan has falling attendance, or where there are barriers to attendance that relate to the pupil's needs
- Communicating the school's high expectations for attendance and punctuality regularly to pupils and parents through all available channels

Our headteacher is **Mrs Junaida Bana**.

3.3 The Designated Senior Leader Responsible for Attendance

The designated senior leader is responsible for:

- Leading, championing and improving attendance across the school
- Setting a clear vision for improving and maintaining good attendance
- Evaluating and monitoring expectations and processes
- Having a strong grasp of absence data and oversight of absence data analysis
- Regularly monitoring and and evaluating progress in attendance
- Establishing and maintaining effective systems for tackling absence, and making sure they are followed by all staff
- Liaising with pupils, parents/carers and external agencies, where needed
- Building close and productive relationships with parents/carers to discuss and tackle attendance issues
- Creating intervention reintegration plans in partnership with pupils and their parents/carers
- Delivering targeted intervention and support to pupils and families
- Issuing fixed-penalty notices, where necessary

The designated senior leader responsible for attendance is **Miss Paula Winter** (Assistant Headteacher) who can be contacted via the school office on 0203 727 5171 or email - pwinter@graftonprimary.co.uk

3.4 The Attendance Officer

The school attendance officer is responsible for:

- Monitoring and analysing attendance data (see section 7)
- Benchmarking attendance data to identify areas of focus for improvement
- Providing regular attendance reports to school staff and reporting concerns about attendance to the designated senior leader responsible for attendance, and the headteacher
- Working with the designated senior leader and educational welfare officer to tackle persistent absence
- Advising the designated senior leader when to issue fixed-penalty notices

The attendance officers are **Miss Paula Winter** (Assistant Headteacher) and **Christine MacKinnon** and can be contacted via the school office on 0203 727 5171 or email - pwinter@graftonprimary.co.uk

3.5 Class Teachers/PPA Cover Teacher/Supply Teachers

Teachers are responsible for recording attendance for both morning and afternoon sessions on a daily basis, using the correct codes (see appendix 1), and submitting this information to the school office via Arbor. This must be completed by 8.55am each morning, and within 10 minutes of the end of lunchbreak (times differ throughout the school).

3.6 School Admin Staff

School admin staff will:

- Take calls from parents/carers (including voicemails) about absence on a day-to-day basis and record it on Arbor.
- Read emails sent to the school office/Attendance email address relating to absence and record on Arbor.
- Transfer calls from parents/carers to the attendance officer, or designated senior leader, in order to provide them with more detailed support on attendance.

3.7 Parents/Carers

Where this policy refers to a parents, it refers to the adult the school and/or local authority decides is most appropriate to work with, including:

- All natural parents, whether they are married or not
- All those who have parental responsibility for a child or young person
- Those who have day-to-day responsibility for the child (i.e lives with and looks after them)

Parents/carers are expected to:

- Make sure their child attends every day on time.
- Call or email the school to report their child's absence before 8.30am on the day of the absence and each subsequent day of absence), and advise when they are expected to return.
- Provide the school with more than 1 emergency contact number for their child.
- Ensure that, where possible, appointments for their child are made outside of the school day.
- Keep to any attendance contracts that they make with the school and/or local authority
- Seek support, where necessary, for maintaining good attendance, by contacting either their child's class teacher, year group leader or the designated senior leader (Miss Winter).

3.8 Pupils

Pupils are expected to:

- Attend school every day on time.

4. Recording attendance

4.1 Attendance register

We will keep an attendance register, and place all pupils onto this register.

We will take our attendance register at the start of the first session of each school day and once after lunchtime. It will mark, using the appropriate national attendance and absence codes from the School Attendance (Pupil Registration) (England) Regulations 2024, whether every pupil is:

- Present
- Attending an approved off-site educational activity
- Absent
- Unable to attend due to exceptional circumstances

Any extra information will be added into the 'Notes' section on Arbor. This will be completed by the admin team, attendance officer or designated senior leader.

Any amendment to the attendance register will include:

- The original entry
- The amended entry
- The reason for the amendment
- The date on which the amendment was made
- The name and position of the person who made the amendment

See appendix 1 for the DfE attendance codes.

We will also record:

- Whether the absence is authorised or not
- The nature of the activity, where a pupil is attending an approved educational activity
- The nature of circumstances where a pupil is unable to attend due to exceptional circumstances

We will keep every entry on the attendance register for 6 years after the date on which the entry was made.

The school day starts at 8.55am (doors open from 8.45am) and finishes at 3.10pm (Reception), 3.15pm (KS1) or 3.20pm (KS2).

Pupils must arrive in school by 8.55am on each school day.

The register for the first session will be taken between 8.45am and 8.55am. Any children who arrive in school after this time will be recorded as late **(L)**. Any children who arrive 30 minutes or more after the school register opens (any time after 9.30am) will be recorded as unauthorised late **(U)**. The register for the second session will be taken when children enter their classroom after lunch, and will remain open for 10 minutes after this time.

4.2 Unplanned absence

The pupil's parent/carer must notify the school of the reason for the absence on the first day of an unplanned absence by 8.30am, or as soon as practically possible, by calling or emailing the school office (see also section 7).

We will mark absence due to physical or mental illness as authorised, unless the school has a genuine concern about the authenticity of the illness.

Where the absence is 5 days or longer, where the pupil has 85% attendance or less, or where there are doubts about the authenticity of the illness, the school will ask for medical evidence, such as a doctor's note, prescription, appointment card or other appropriate form of evidence. We will not ask for medical evidence unnecessarily.

We will also request evidence for an absence if the absence falls on adjacent days either before or after a school holiday.

If the school is not satisfied about the authenticity of the illness, the absence will be recorded as unauthorised and parents will be notified of this in advance.

4.3 Planned absence

Attending a medical or dental appointment will be counted as authorised as long as the pupil's parent/carer notifies the school in advance of the appointment and provides evidence of the appointment. This can be in the form of a letter, email or text message.

However, we encourage parents/carers to make medical and dental appointments out of school hours where possible. Where this is not possible, the pupil should be out of school for the minimum amount of time necessary.

The pupil's parent/carer must also apply for other types of term-time absence as far in advance as possible of the requested absence. Any leaves of absence should be requested using our 'Request for Leave in an Emergency' form which can be found here: Request for Leave in an Emergency

Go to section 5 to find out which term-time absences the school can authorise.

4.4 Lateness and punctuality

A pupil who arrives late:

- After the class register has closed at 8.55am will be marked as late, using the appropriate code (L).
- After the office register has closed at 9.30am will be marked as unauthorised late, using the appropriate code (U).

Parents/carers of children who receive a late mark will receive an email explaining that their child has received a late mark and reminding them of school start times. Regular lateness will result in a meeting with the attendance officer and designated senior leader.

School finishes at 3.10/3.15pm (Reception and Key Stage 1) and 3.20pm (Key Stage 2) and parents/carers are expected to collect their children promptly. Any children who are not collected after 10 minutes are brought round to the Hub where their names are recorded. The school will try to

make contact with parents/carers to find out the reason for the late collection and how long the parents will be.

Persistent late collection after school will result in a concern letter from the headteacher, and may also result in a referral to Children's Services where appropriate.

4.5 Following up unexplained absence

Where any pupil we expect to attend school does not attend, or stops attending, without reason, the school will:

- Email/call the pupil's parent/carer on the morning of the first day of unexplained absence to ascertain the reason. If the school cannot reach any of the pupil's emergency contacts, the school may carry out a home visit if appropriate.
- Identify whether the absence is approved or not
- Identify the correct attendance code to use and input it as soon as the reason for absence is ascertained - this will be no later than 5 working days after the session(s) for which the pupil was absent
- Call the parent on each day that the absence continues without explanation, to make sure proper safeguarding action is taken where necessary. If absence continues, the school will involve the education welfare officer, who will carry out a home visit *(Grafton Primary School has employed the services of Education Welfare Advisory and Support Service to support us in the monitoring of attendance and to help us comply with the statutory duties of school attendance)*
- If absences are of 3 days or longer, we will require medical evidence to support this.
- Where appropriate, offer support to the pupil and/or their parents to improve attendance
- Identify whether the pupil needs support from wider partners, as quickly as possible, and make the necessary referrals
- Where support is not appropriate, not successful, or not engaged with, issue a notice to improve, penalty notice or other legal intervention

4.6 Reporting to parents/carers

The school will regularly inform parents/carers about their child's attendance and absence levels via termly reports/parents evening.

Where children's attendance is causing concern, parents will be informed sooner and on a more regular basis.

5. Authorised and unauthorised absence

5.1 Approval for term-time absence

The headteacher will allow pupils to be absent from the school site for certain educational activities, or to attend other schools or settings.

The headteacher will only grant **a leave of absence** to a pupil during term time if the request meets the specific circumstances set out in the 2024 school attendance regulations. These circumstances are:

- Taking part in a regulated performance, or regulated employment abroad
- Attending an interview
- Study leaver
- A temporary, time-limited part-time timetable
- Exceptional circumstances

A leave of absence is granted at the headteacher's discretion, including the length of time the pupil is authorised to be absent for.

We define 'exceptional circumstances' as:

- The death or terminal illness of a close family member.
- Funeral

These circumstances are authorised for a maximum of **one calendar week**, unless extra evidence can be provided that longer is necessary or unavoidable. However, all decisions are at the discretion of the headteacher, and each application is looked at individually, on a case-by-case basis.

Leave of absence will not be granted for a pupil to take part in protest activity during school hours.

As a leave of absence will only be granted in exceptional circumstances, it is unlikely a leave of absence will be granted for the purposes of a family holiday.

Any request should be submitted as soon as it is anticipated and, where possible, at least **4** weeks before the absence, and in accordance with our leave of absence request form, accessible here 'Request for Leave in an Emergency'. The designated senior leader may require evidence to support any request for leave of absence.

The school considers each application for term-time absence individually, taking into account the specific facts, circumstances and relevant background context behind the request.

Other valid reasons for **authorised absence** include (but are not limited to):

- Illness (including mental illness) and medical/dental appointments (see sections 4.2 and 4.3 for more detail)
- Religious observance – where the day is exclusively set apart for religious observance by the religious body to which the pupil's parents/carers belong. If necessary, the school will seek advice from the parents'/carers' religious body to confirm whether the day is set apart. Religious leave is only authorised for compulsory religious observance, i.e Eid. **We understand that Umrah is a highly recommended aspect of Islam, but it is still a voluntary observance and leave will not be authorised.**
- Parents travelling for occupational purposes - this covers Roma, English and Welsh gypsies, Irish and Scottish travellers, showmen (fairground people) and circus people, bargees (occupational boat dwellers) and new travellers. Absence may be authorised only when a travelling family is known to be travelling for occupational purposes and has agreed this with the school, but it is not known whether the pupil is attending educational provision.

- If the pupil is currently suspended or excluded from school (and no alternative provision has been made)

Other reasons the school may allow a pupil to be absent from the school site, which are not classified as absences, include (but are not limited to):

- Attending an offsite approved educational activity, sporting activity or visit or trip arranged by the school
- Attending another school at which the pupil is also registered (dual registration)
- Attending provision arranged by the local authority
- Attending work experience
- If there is any other unavoidable cause for the pupil not to attend school, such as disruption to travel caused by an emergency, a lack of access arrangements, or because the school premises are closed

5.2 Legal sanctions

Our school will make use of the full range of potential sanctions - including, but not limited to, those listed below - to tackle poor attendance. Decisions will be made on an individual, case-by-case basis.

Penalty Notices

The headteacher (or someone authorised by them), local authority or the police can fine parents for the unauthorised absence of their child from school, where the child is of compulsory school age, by issuing a penalty notice.

If the school requests to issue a penalty notice, this will be authorised, and then processed, by the local authority 'Education Prosecutions' team and sent directly to parents.

Before requesting the issue of a penalty notice, the school will consider the individual case, including:

- Whether the national threshold for considering a penalty notice has been met (10 sessions of unauthorised absence in a rolling period of 10 school weeks)
- Whether a penalty notice is the best available tool to improve attendance for that pupil
- Whether further support, a notice to improve or another legal intervention would be a more appropriate solution
- Whether any obligations that the school has under the Equality Act 2010 make issuing a penalty notice inappropriate

Each parent who is liable for the pupil's offence(s) can be issued with a penalty notice, but this will usually only be the parent/parents who allowed the absence.

The payment must be made directly to the local authority. If the payment has not been made after 28 days, the local authority can decide whether to prosecute or withdraw the notice.

If issued with a **first** penalty notice, the parent must pay £80 within 21 days, or £160 within 28 days.

If a **second** penalty notice is issued to the same parent in respect of the same pupil, the parent must pay £160 if paid within 28 days.

A **third** penalty notice cannot be issued to the same parent in respect of the same child within 3 years of the date of issue of the first penalty notice. In a case where the national threshold is met for a third time within those 3 years, alternative action will be taken instead.

A penalty notice may also be issued where parents allow their child to be present in a public place during school hours without reasonable justification, during the first 5 days of a suspension or exclusion (where the school has notified the parents that the pupil must not be present in a public place on that day). These penalty notices are not included in the National Framework, not subject to the same considerations about support being provided, and do not count towards the limit as part of the escalation process.

In these cases, the parent must pay £80 within 21 days, or £160.

Notices to Improve

If the national threshold has been met and support is appropriate, but parents do not engage with offers of support or an attendance contract, the school or Education Welfare Advisory and Support Services (EWASS) may offer a notice to improve to give parents a final chance to engage with support.

Notices to improve will be issued in line with processes set out by Barking and Dagenham in their 'Penalty Notice Code of Conduct' document.

They will include:

- Details of the pupil's attendance record and of the offences
- The benefits of regular attendance and the duty of parents under section 7 of the Education Act 1996
- Details of the support provided so far
- Opportunities for further support, or to access previously provided support that was not engaged with
- A clear warning that a penalty notice may be issued if attendance doesn't improve within the improvement period, along with details of what sufficient improvement looks like, which will be decided on a case-by-case basis.
- A clear timeframe of between 3 and 6 weeks for the improvement period.
- The grounds on which a penalty notice may be issued before the end of the improvement period

6. Strategies for promoting attendance

As a school we reward good attendance in many different ways to show the children and parents the importance of attending regularly. Good attendance is promoted by all staff and children are taught about their rights to attend school every day.
We have a class attendance winner each week. At the end of every term, children with 100% attendance are awarded a certificate. We also send positive emails to parents regarding termly attendance thanking them for their support.

7. Supporting pupils who are absent or returning to school

7.1 Pupils absent due to complex barriers to attendance

For children with complex barriers to attendance, a support meeting with parents would be arranged. This may be in school or at home, depending on what is most suitable. In order to address non-attendance, we may offer support such as phased returns, support with getting to school (collection by a member of staff), support with our learning mentors, or a referral to the Targeted Early Help team if deemed appropriate.

7.2 Pupils absent due to mental or physical health or SEND

As above, support for children with mental or physical ill health, or SEND, would be offered support, such as phased returns, support from our learning mentor team, support from our school counsellor or a referral to Early Help if appropriate. This list is not exhaustive, and would be flexible to meet the needs of individual pupils.

Where a pupil has an education health and care (EHC) plan and their attendance falls, or the school becomes aware of barriers to attendance that are related to the pupil's needs, the school will inform the local authority.

8. Attendance monitoring

8.1 Monitoring attendance

The school will:

- Monitor attendance and absence data (including punctuality) daily, weekly, half-termly, termly and yearly across the school and at an individual pupil and year group level
- Monitor the attendance of pupils on our PA (persistent absentee) and SA(severe absentee) lists.
- Identify whether or not there are particular groups of children whose absences may be a cause for concern
- Meet with the Education Welfare Officer (EWO) once a fortnight to discuss poor attendance.

Specific pupil information will be shared with the DfE on request. The school has granted the Dfe access to its management information system so the data can be accessed regularly and securely.

8.2 Analysing attendance

The school will:

- Analyse attendance and absence data regularly to identify pupils, groups or cohorts that need additional support with their attendance, and use this analysis to provide targeted support to these pupils and their families.
- Identify pupils whose absences may be a cause for concern, especially those who demonstrate patterns of persistent or severe absence

- Conduct thorough analysis of half-termly, termly and full-year data to identify patterns and trends
- Look at historic and emerging patterns of attendance and absence, and then develop strategies to address these patterns.

8.3 Using data to improve attendance

The school will:

- Develop targeted actions to address patterns of absence (of all severities) of individual pupils, groups or cohorts that it has identified via data analysis
- Provide targeted support to the pupils it has identified whose absences may be a cause for concern, especially those who demonstrate patterns of persistent or severed absence, and their families (see section 8.4 below)
- Provide regular attendance reports to class teachers, to facilitate discussions with pupils and families, and to the governing board and school leaders (including the special educational needs co-ordinator, designated safeguarding lead and pupil premium lead)
- Use data to monitor and evaluate the impact of any interventions put in place in order to modify them and inform future strategies
- Share information and work collaboratively with other schools in the area, local authorities and other partners where a pupil's absence is at risk of becoming persistent or severe, including keeping them informed regarding specific pupils, where appropriate

8.4 Reducing persistent and severe absence

Persistent absence is where a pupil misses 10% or more of school, and severe absence is where a pupil misses 50% or more of school. Reducing persistent and severe absence is central to the school's strategy for improving attendance.

The school will:

- Use attendance data to find patterns and trends of persistent and severe absence.
- Consider potential safeguarding issues and, where suspected or present, address them in line with Keeping Children Safe in Education
- Hold regular meetings with the parents/carers of pupils who the school (and/or local authority) considers to be vulnerable, or are persistently or severely absent, to:
    - Discuss attendance and engagement at school
    - Listen, and understand barriers to attendance
    - Explain the help that is available
    - Explain the potential consequences of, and sanctions for, persistent and severe absence
    - Review any existing actions or interventions
- Provide access to wider support services to remove the barriers to attendance, such as Early Help or CAMHS.

- Consider alternative support that could be put in place to remove any barriers to attendance and re-engage these pupils. In doing so, the school will sensitively consider some of the reasons for absence
- Implement sanctions, where necessary (see section 5.2, above)
- Send letters to parents/carers of children falling below 95% (warning letter) and 90% (PA concern letter).

9. Monitoring arrangements

This policy will be reviewed as guidance from the local authority or DfE is updated, and as a minimum once a year by Paula Winter, Assistant Headteacher.

10. Links with other policies

This policy links to the following policies:

- Child protection and safeguarding policy
- Behaviour policy

Appendix 1: attendance codes

The following codes are taken from the DfE's guidance on school attendance.

Code	Definition	Scenario
/	Present (am)	Pupil is present at morning registration
\	Present (pm)	Pupil is present at afternoon registration
L	Late arrival	Pupil arrives late before register has closed
Attending a place other than the school		

K	Attending education provision arranged by the local authority	Pupil is attending a place other than a school at which they are registered, for educational provision arranged by the local authority
V	Attending an educational visit or trip	Pupil is on an educational visit/trip organised or approved by the school
P	Participating in a sporting activity	Pupil is participating in a supervised sporting activity approved by the school
W	Attending work experience	Pupil is on an approved work experience placement
B	Attending any other approved educational activity	Pupil is attending a place for an approved educational activity that is not a sporting activity or work experience
D	Dual registered	Pupil is attending a session at another setting where they are also registered
Absent – leave of absence		
C1	Participating in a regulated performance or undertaking regulated employment abroad	Pupil is undertaking employment (paid or unpaid) during school hours, approved by the school

M	Medical/dental appointment	Pupil is at a medical or dental appointment
J1	Interview	Pupil has an interview with a prospective employer/educational establishment
S	Study leave	Pupil has been granted leave of absence to study for a public examination
X	Not required to be in school	Pupil of non-compulsory school age is not required to attend
C2	Part-time timetable	Pupil is not in school due to having a part-time timetable
C	Exceptional circumstances	Pupil has been granted a leave of absence due to exceptional circumstances
Absent – other authorised reasons		
T	Parent travelling for occupational purposes	Pupil is a 'mobile child' who is travelling with their parent(s) who are travelling for occupational purposes
R	Religious observance	Pupil is taking part in a day of religious observance

I	Illness (not medical or dental appointment)	Pupil is unable to attend due to illness (either related to physical or mental health)
E	Suspended or excluded	Pupil has been suspended or excluded from school and no alternative provision has been made
Absent – unable to attend school because of unavoidable cause		
Q	Lack of access arrangements	Pupil is unable to attend school because the local authority has failed to make access arrangements to enable attendance at school
Y1	Transport not available	Pupil is unable to attend because school is not within walking distance of their home and the transport normally provided is not available
Y2	Widespread disruption to travel	Pupil is unable to attend because of widespread disruption to travel caused by a local, national or international emergency
Y3	Part of school premises closed	Pupil is unable to attend because they cannot practicably be accommodated in the part of the premises that remains open
Y4	Whole school site unexpectedly closed	Every pupil absent as the school is closed unexpectedly (e.g. due to adverse weather)

Y5	Criminal justice detention	Pupil is unable to attend as they are: · In police detention · Remanded to youth detention, awaiting trial or sentencing, or · Detained under a sentence of detention
Y6	Public health guidance or law	Pupil's travel to or attendance at the school would be prohibited under public health guidance or law
Y7	Any other unavoidable cause	To be used where an unavoidable cause is not covered by the other codes
Absent – unauthorised absence		
G	Holiday not granted by the school	Pupil is absent for the purpose of a holiday, not approved by the school
N	Reason for absence not yet established	Reason for absence has not been established before the register closes
O	Absent in other or unknown circumstances	No reason for absence has been established, or the school isn't satisfied that the reason given would be recorded using one of the codes for authorised absence

U	Arrived in school after registration closed	Pupil has arrived late, after the register has closed but before the end of session
Administrative codes		
Z	Prospective pupil not on admission register	Pupil has not joined school yet but has been registered
#	Planned whole-school closure	Whole-school closures that are known and planned in advance, including school holidays

Appendix 2

Barking and Dagenham

Code of Conduct for issuing Penalty Notices for school absence

(came into force on the 14th August 2024)

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Author: Paula Winter

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Author: Greg Vaughan, Manager, Education Statutory Services Team

1st edition: 7th August 2024.

Purpose and rationale

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 Barking and Dagenham. This code:

   - sets out the arrangements for administering penalty notices in Barking and Dagenham and must be adhered to by anyone issuing a penalty notice for school absence in this area.

   - 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, coming into force on the 19th August 2024.

Good school attendance is an essential contribution towards a child's education, and future employment prospects. Conversely, poor attendance severely impacts a child's educational growth and their future prospects may be significantly restricted. Therefore, ensuring regular school attendance is crucial for the long-term benefit of children.

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.

Schools support parents and pupils to overcome barriers to regular attendance through a wide continuum of assessment, intervention and monitoring strategies.

If a child has failed to attend school regularly, or has had an unauthorised leave of absence, the school must follow their attendance policy and procedures.

Where appropriate a penalty notice can be issued, although there is no legal requirement to do so. Penalty notices should not be seen as a punishment, only as a means of enforcing attendance where parental co-operation is either absent or deemed insufficient to resolve the presenting problem and there is a reasonable expectation that their use will secure an improvement.

All types of legal proceedings for irregular school attendance are intended to help parents take seriously their responsibilities to ensure their children regularly attend school. Therefore, penalty notices should be considered as part of a school's overall strategy to improve attendance.

Penalty notices are issued to parents as an alternative to prosecution where they have failed to ensure that their child of compulsory school age regularly attends the school where they are registered or, in certain cases, at an alternative provision that the child is required to attend.

Penalty notices are intended to prevent the need for a prosecution and should only be used where it is deemed likely to change parental behaviour e.g.

- where support to secure regular attendance has been provided and has not worked or been engaged with,
- or would not have been appropriate in the circumstances of the offence (e.g. an unauthorised holiday in term time).

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.

Consultation

2. This code has been drawn up in consultation with the headteachers and governing bodies of state-funded schools.

Legal basis

3. 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 off-site places where education is provided by the Local Authority*.
*(*Education Act 1996 (sect 444A(1)(b))*

4. The Education (Penalty Notices) (England) Regulations 2007 (and subsequent amendments) set out how penalty notices for school absence must be processed.

5. Although a penalty notice can only be issued by a headteacher (or a deputy/assistant head authorised by them) or a police constable in Barking and Dagenham, by agreement, all penalty notices for school absence will be issued by the Local Authority.

6. 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.

Who can a Penalty Notice be issued to

7. A penalty notice can be issued to:

    - Biological parents of the child named in the penalty notice.
    - Persons with Parental Responsibility for that child.
    - Carers i.e. those who have day-to-day care of that child.

    (as set out in section 576 of the Education Act 1996).

In this code of conduct, the term 'parent' refers to all of the above.
A penalty notice can be issued to each parent liable for the offence. They should usually only be issued to the parent/s who have caused the absence.

8. 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.

9. 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.

The national threshold for issuing a penalty notice

10. The national threshold has been met when a pupil has been recorded as absent, with any of the following codes, for 10 sessions (5 days) within a rolling period of 10 school weeks.

A school week means any week in which there is at least one school session. The rolling period can span different terms or school years.

Code G	The pupil is absent without leave for the purpose of a holiday A headteacher must not authorise a leave of absence unless the request was made in advance, and there are exceptional circumstances relating to that request.
Code N	The circumstances of the pupil’s absence have not yet been established
Code O	No other attendance register code can be applied to the absence.
Code U	The pupil attended after the taking of the register ended but before the end of the session (and where no other code applies)

11. 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.

12. If repeated penalty notices are being issued and they are not working to change behaviour they are unlikely to be most appropriate tool.

13. 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.

14. If the national threshold is met for a third time (or subsequent times) within 3 years, the Local Authority will liaise with the school and, unless there is compelling reason not to, the parent will be prosecuted.

15. For the purpose of the escalation process, previous penalty notices include those not paid (including where prosecution was taken forward, whether the parent pleaded or was found guilty) but not those which were withdrawn.

No absence can be used in a request for a penalty notice if that absence has been part of a previous penalty notice, or court case.

Key considerations prior to issuing of a Penalty Notice

16. Schools must not have a blanket policy of issuing or not issuing penalty notices. They must make judgements on each individual case, ensuring fairness and consistency.

17. In cases where support is not appropriate (for example, for holidays in term time) is a penalty notice the best available tool to improve attendance and change parental behaviour or would other interventions be more appropriate?

18. To ensure consistency of approach, the following considerations will need be made on a case by case basis before a penalty notice can be requested:

Unauthorised leave of absence (ULA):

- The ULA, combined with any other unauthorised absences, amounts to 10 or more sessions of unauthorised absence in the last 10 weeks.

- The school's attendance policy makes it clear that a parent can receive a penalty notice for an unauthorised leave of absence.

- The request for leave of absence was considered and there were no exceptional circumstances

- The parent was informed that their request would not be authorised and that they would receive a penalty notice

In cases where support is appropriate, has sufficient support already been provided? Consider the following on a case-by-case basis:

Irregular school attendance

- Has the school followed their attendance procedures.

- Has the school's attendance officer undertaken home visits.

- Have meetings been arranged in school.

- Have all barriers to attending school been explored, and have all reasonable attempts been taken to resolve the issues.

- Has the school followed the borough's staged approach to improving school attendance.

- Has a Parenting Contract/Attendance Agreement been agreed or attempted.

- Has an action plan been completed for the child.

- Has the case been presented to the Vulnerable Pupil Hot Clinic

- If the child is known to social Care, is the allocated social worker aware and supports the legal action

- Have all other relevant agency support been sought.

- Has a 'Notice to Improve' been issued to the parent?

- Is the parent aware that they will receive a penalty notice

Severe absence (attendance consistently below 50%)

Penalty notices are unlikely to be a suitable course of action for severe absence cases. In these cases, please liaise with the appropriate borough Education Officer.

Schools need to consider if a penalty notice is the best available tool to improve attendance and change parental behaviour for each particular family or would a different intervention be more appropriate?

If the answer to the above questions is 'yes' then a penalty notice (or a notice to improve in cases where support is appropriate) will usually be issued.

Legal Defences

19. **The child shall not be taken to have failed to attend regularly at the school if one of the legal defences apply**:

    - the absence is with leave (authorised absence), or
    - at any time, the parent can prove that the child was prevented from attending by reason of sickness or any unavoidable cause, or
    - on any day exclusively set apart for religious observance by the religious body to which his parent belongs, or
    - the child has no fixed abode, and the parent is engaged in a trade or business of such a nature as to require him to travel from place to place and if the child has attained the age of six, that he has made at least 200 attendances during the last 12 months.

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

(Appendix 1 – Notice to Improve template – Page 13)

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 by the school to give parents a final chance to engage in support.

A decision can be made not to use one, including where support is appropriate, but it is thought that a notice to improve would not have any impact on a parent's behaviour (e.g. because the parent has already received one for a similar offence).

(See addendum 1 – Page 12)

The process of requesting that a penalty notice is issued

21. Requests must be sent to the Local Authority within 2 school weeks of the last unauthorised absence.

Requests are made using the Penalty Notice request form (**Appendix 2 – Page 14**), which must be completed in full and sent, along with an up to date attendance record, to:

EducationProsecutions@lbbd.gov.uk

Any other relevant information must be attached to the email e.g.

- The Notice to Improve (If a Notice to Improve has been issued, only parents who have received it can be issued with a Penalty Notice).
- The letter informing the parent that their request for leave was not authorised, with the reason why.
- The action plan for the child.

Each penalty notice request form is for one child but can include 2 parents.

The requestor must inform the Local Authority if the child has been on a reduced timetable or has been referred to off-site education as this may require a different legal approach

If parents live at different addresses, the requestor must provide the Local Authority with the reason why both parents are to be sent a penalty notice each.

The Local Authority may request further information from the requestor e.g. Has proportionate support has been provided?

At the time of the request being submitted, the date range must not go back further than 5 months. All relevant information must be contained in the date range.

The parent/s must always be informed that a Penalty Notice will be issued.

Process for issuing a penalty notice

The Local Authority will process and issue a penalty notice within 10 working days of receipt of the request and will provide the requestor with a copy of the penalty notice that has been issued.

The Local Authority will send penalty notices, by first class post, to each parent who is liable for the offence and who is named on the penalty notice request form for each child also named on that form.

Service by post shall be deemed to have been effective (unless the contrary is proven) on the second working day after posting the notice first class.

Two penalty notice limit and escalation in cases of repeat offences

If repeated penalty notices are being issued and they are not working to change behaviour they are unlikely to be most appropriate tool.

Therefore, only 2 penalty notices can be issued to the same parent in respect of the same child within a 3 year rolling period, and any second notice within that period is charged at a higher rate:

The **first penalty notice** issued to a parent in respect of a particular child will be charged at £160 if paid within 28 days. This will be reduced to £80 if paid within 21 days

A **second penalty notice** issued to the same parent in respect of the same child is charged at a flat rate of £160 if paid within 28 days.

A **third penalty notice** cannot be issued to the same parent in respect of the same child within 3 years of the date of issue of the first.

In a case where the national threshold is met for a third time (or subsequent times) within those 3 years, alternative action should be taken instead. This will often include considering prosecution but may include other interventions. **Therefore, a Notice to Improve should not be issued and a court warning letter should be considered.**

Once 3 years has elapsed since the first penalty notice was issued a further penalty notice can be issued, but in most cases it would not be the most effective tool for changing what may have now become an entrenched pattern of behaviour.

For the purpose of the escalation process, previous penalty notices include those not paid (including where prosecution was taken forward and the parent pleaded or was found guilty) but not those which were withdrawn.

Payment of penalty notices

The penalty notice will provide parents with information on how to pay a penalty notice. The payment must be made directly to the Local Authority.

The LA will liaise with schools, on a weekly basis, about unpaid penalty notices.

(How monies received are to be used – see addendum 2 – Page 12)

Unpaid penalty notices

If the penalty is not paid in full by the end of the 28-day period, the Local Authority will decide either to prosecute for the original offence to which the notice applies or withdraw the notice.

Schools will be consulted before any further action is taken.

A 'last chance letter' will be sent to the parent before proceedings are instituted.

Preparing a case for court

The Local Authority Quality Assurance Officer (or nominated staff in his/her absence) in the Education Statutory Services Team will be the author of the Section 9 witness statement in relation to unpaid penalty notices. The witness statement will be submitted to the Local Authority Legal Team, along with the

certificate of attendance and any other supporting evidence and documents provided by the school.

A time limit exists for getting cases into court. Delays can lead to a case not being submitted. Therefore, schools will need to provide the required information/documentation within the time asked for by the Local Authority. If it's not provided within the required time limit the case will not be able to proceed.

As required by section 447, Education Act 1996, the Local Authority shall consider whether it would be appropriate (instead of or as well as instituting the proceedings) to apply for an education supervision order with respect to the child. If the child has a Child Protection Plan, or is considered to be a Child in Need, agreement to progress the legal proceedings will be sought from the allocated Social Worker.

NB In the event that a parent pleads not guilty, the case will go to trial. The attendance officer, and/or an appropriate representative from the school will need to attend court as a witness for the prosecution.

Alternative Education Provisions that are not registered schools

Section 116, Education Act 2005 inserts section 444ZA into the Education Act 1996. 444ZA provides the power to issue a penalty notice if a parent fails to secure regular attendance at an alternative provision that is not a registered school.
This applies only to children receiving education off site from the school they are on roll at.

The child's school will mark their attendance register with the 'D' code. The off-site provision that the child attends will record the present or absent marks in their attendance register.

If the child is not in regular attendance at the off-site provision, the appropriate penalty notice warning letter must be issued first.

Appeals

There is no right of appeal by parents against a penalty notice for school absence.

However, a penalty notice can be suspended by the Local Authority for a period of time to allow for investigations to take place if a parent raises issues of significant gravity that could lead to a legal challenge or affect a subsequent court case.

Schools may seek the advice of the Local Authority but are ultimately responsible for deciding whether an absence should be authorised, and the penalty notice withdrawn, or not. Should the headteacher decide to authorise the absence(s), the Local Authority must be informed so that the penalty notice can be withdrawn.

Information for other Local Authorities:

Where pupils move between local authority areas, Barking and Dagenham can be contacted on educationprosecution@lbbd.gov.uk to find out if penalty notices have been issued previously.

For children who live in another borough: Unless there is a cross-borough agreement in place that states otherwise, the Local Authority for the school where the child is a registered pupil is solely responsible for issuing penalty notices. For Barking and Dagenham, no cross-borough agreements exist. Therefore, only this Local Authority can issue penalty notices in relation to children on roll at schools in Barking and Dagenham. A penalty notice issued by any other Local Authority will not be valid.

Relevant legislation and government guidance:

DfE: Working together to improve school attendance Statutory guidance for maintained schools, academies, independent schools and L.As 2024:
https://assets.publishing.service.gov.uk/media/65f1b048133c22b8eecd38f7/Working_together_to_improve_school_attendance__applies_from_19_August_2024_.pdf

The Education (Penalty Notices) (England) (Amendment) Regulations 2024:
https://www.legislation.gov.uk/uksi/2024/210/made

The School Attendance (Pupil Registration) (England) Regulations 2024:
https://www.legislation.gov.uk/uksi/2024/208/contents/made

Education Act 1996:
http://www.legislation.gov.uk/ukpga/1996/56/contents

Anti-Social Behaviour Act 2003:

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

The Education & Inspections Act 2006:
http://www.legislation.gov.uk/ukpga/2006/40/contents

Children Act 1989:
http://www.legislation.gov.uk/ukpga/1989/41/contents

Addendum - 1

Required contents of the Notice to Improve

This section explains what should be included in a Notice to Improve:

- Who will issue the notice to improve (In Barking and Dagenham it will be the school's attendance officer).
- Copy of the pupil's attendance record and details of the offence
- The benefits of regular attendance and parents' duty under section 7 of the Education Act 1996.
- Details of the support provided so far.
- Opportunities for further support and the option to access previously provided support that was not engaged with.
- A clear warning that a penalty notice may be issued if improvement in attendance is not secured within the improvement period.
- A time limit for the improvement period – In Barking and Dagenham it is four weeks (but a flexible improvement period can be used so that it can be varied in individual cases).
- Details of what sufficient improvement within that time limit will look like. What sufficient improvement looks like can be decided on a case-by-case basis taking the individual family's circumstances into account.
- The grounds on which a penalty notice may be issued before the end of the improvement period.

How monitoring is expected to be carried out over the improvement period and

Addendum – 2

DfE guidance/law: Monies collected should first be used for administration of the penalty notice system and prosecution. Any surplus left after this should be spent on attendance support. In practice, support means any other activity to improve attendance short of a penalty notice or prosecution in line with this guidance.

This revenue should not be considered part of wider local authority funding and relied upon to fund the core attendance expectations of the local authority or be pooled in wider legal services budgets or allocated outside the local authority's attendance functions.

Any remaining surplus at the end of the year must be paid to the Secretary of State

Appendix 1 – Notice to Improve template

ewass.co.uk

EDUCATION WELFARE ADVISORY & SUPPORT SERVICE LTD

Full name/s of parent/s
Home address

School Attendance Notice to Improve

If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school, the child's parent may be guilty of an offence under s.444 Education Act 1996. If your child is a registered pupil at an alternative provision in the circumstances set out in section 444ZA of the Education Act 1996, the child's parent may be guilty of an offence.

You, **(Parents Name/s)** are a parent/carer of **(Pupil's Name)** who is a registered pupil at **Grafton Primary School.**

School and EWASS have offered support to you and your family to try and help improve **(Pupil's Name)** attendance, including:

- **(All correspondence, communication and meetings will be referenced in this section)**

Unfortunately, despite the support that was offered to your family, attendance remains a cause for concern. Between **(Date)** and **(Date)** the pupil failed to attend regularly at **Grafton Primary School** which resulted in 10 sessions (half days) or more of unauthorised absence being recorded. Please see the attached registration certificate for details.

You now have 4 school weeks in which to improve your child's attendance. During this time your child must show significant improvements in attendance and avoid having any further unauthorised absences recorded. Should we not see sufficient improvement and further unauthorised absences take place during this period, a Penalty Notice may be issued or your case may be put forward to the local authority for them to consider prosecution under section 444 1/1A Education Act 1996.

Please note that, if you have received previous penalty notices in relation to the unauthorised absence patterns of a child for whom you hold parental responsibility/day-to-day care and responsibility or you have previously been prosecuted under Section 444 1/1A Education Act 1996, you may not be eligible for further penalty notices and your case may automatically proceed to prosecution.

NB your case may be put forward for a penalty notice/prosecution as soon as a further unauthorised absence is recorded for (Name).

If you wish to discuss this notice, or discuss what further support is available, please do not hesitate to contact me.

Yours sincerely

EWO Name
Education Welfare Officer
Education Welfare Advisory & Support Services Ltd.

EWO Contact Details

Appendix 2 – Penalty Notice request form

Penalty Notice (P.N) Request Form (September 2024)

Child's first and last name:			
DOB:	**Yr. Grp:**	**EHCP: Yes/No**	**Gender: M/F**
School:			

Parent 1 – First and last name, and title; e.g. Mr/Mrs/Miss/Ms:	**Parent 2 – First and last name, and title; e.g. Mr/Mrs/Miss/Ms:**
Address where P.N is to be sent: *Tick box to show that you have confirmed that the parent/s lives at the address:*	**Address where P.N is to be sent, if different to 'Parent 1'** (If the second parent lives at a different address, please explain why s/he should receive a P.N)

Number of unauthorised absence sessions in the last 10 weeks: NB The minimum is 10 sessions.
During the last 10 weeks, has this child been on a reduced timetable, or been referred to education offsite: Yes/No *(please delete as appropriate).* **If yes, please provide further information in your email.**
Date Notice to Improve letter sent (if applicable): Please attach a copy with your request
<u>Current</u> Social Care Status: Assessment – C.P – CiN – Early Help – None

(please delete as necessary)	
f the child has an allocated social worker, please provide their name: **Please confirm that s/he supports this request:**	
Name and job title of the requestor:	
Phone No.	**Date request submitted:**
Please provide an up-to-date attendance print out with your request and email both documents to: EducationProsecutions@lbbd.gov.uk	