

Randwick Primary School: Resilience, Passion, Success



'Aim High Like the Skylark'

Attendance Policy

Spring 2019

Randwick Primary School: Resilience, Passion, Success

School Aims Statement

Our aim is to provide a happy, caring and stimulating learning environment underpinned by Christian principles, in which we encourage and value individuals' contributions and respect for others.

We believe the environment created will enable the children in our care to learn and achieve their best, socially and academically. Purposeful and relevant activities take place which will help foster each child's spiritual, intellectual, social, moral and physical development. All children are valued for the contribution they can make to the life of the school and are encouraged to develop attitudes to life based on Christian principles.

The school, alongside the Local Authority, firmly believe that all children benefit from regular school attendance. The School is committed to encourage parents and carers to ensure that the children in their care achieve maximum possible attendance and that any problems that prevent full attendance are identified and acted on promptly. Good punctuality and attendance are essential for a child's education and establish a positive working ethos early in life.

There are approximately 190 school days per year (380 sessions) which your child is expected to attend. There are approximately 13 weeks per year of school holidays. Please ensure that your holidays are taken during this period.

We expect that all pupils will:

- Attend school every day unless there is a reason acceptable to school for their absence;
- Attend school punctually;
- Attend school appropriately prepared for the day and ready to learn

We expect that all parents and carers who have day to day responsibility for the children will:

- Bring their child to school every day and be aware of their legal responsibilities;
- Ensure that the child/children in their care arrive at school punctually, prepared for the school day;
- Ensure that they contact the school whenever the child/children is unable to attend school;
- Contact the school before 0845 on the first day of the child's absence and repeat this each consecutive day until they return and whenever any problem occurs that may keep the child away from school
- Notify the school immediately of any change of address or emergency contact details, especially mobile telephones
- Notify the school of any family circumstances that might have an adverse affect on the child

Our school staff will:

- **First day absence calling – if your child is not in school by 0915 we will endeavour to contact parents/carers to ascertain their whereabouts. If we are unable to find out where the child is we go to the household to check. If we cannot locate the child's whereabouts we will contact the Local Authority.**
Your child's safety is paramount.
- Keep regular and accurate records of attendance for all children, at least twice daily (morning and afternoon); if a child is not on our school site for any reason (including off site visits, visits to other schools etc.) then a code will be marked in the register. Follow this link to view these codes (starting on page 8):
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/518586/Advice_on_school_attendance.pdf
- Monitor every child's attendance;

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- Contact parents and carers as soon as possible when a child fails to attend where no message has been received to explain the absence;
- Follow up all unexplained absences;
- Encourage excellent attendance;
- Provide a welcoming atmosphere for children;
- Provide a safe learning environment;
- Provide a sympathetic response to any children's, parent and carers' concerns;
- Make initial enquiries of parents and carers of pupils who are not attending regularly, express their concern and clarify the school's and the Local Authority expectations with regard to regular school attendance;
- Inform the Local Authority if a child is absent with authorisation for 10 days or more
- Inform the Local Authority if a child is taken off our role (eg they leave our school to attend another)

Encouraging Attendance

Randwick School encourages regular attendance in the following ways:

- By providing a caring and welcoming learning environment;
- By responding promptly to a child's or parent's concerns about the school or other pupils;
- By marking registers accurately and punctually during morning and afternoon registration. Registration is taken at 0845 and closes at 0915. Therefore if a child arrives after registration but before 0915 they will receive a late mark in the register. Pupils who arrive at school after 0915 will receive an unauthorised absence for the morning.
- By publishing and celebrating attendance statistics;
- By celebrating good and improved attendance;
- By monitoring pupils, informing parents/carers in writing of irregular attendance, arranging meetings with them and if there is no improvement, arranging a home visit. Finally, we will refer the family to the Local Authority Education Inclusion Service for consideration of legal action.

Procedures for Parents and Carers to notify us of your child's absence from school:-

- Please inform the school early in the morning on the first day that your child is ill and repeat this on each subsequent day until your child returns to school.
- Medical appointments should ideally be made out of school hours and if this is not possible, later in the day so the child can be registered in school first.
- If your child is away from school for a medical appointment we ask that if possible you notify school before the day, again in order that a record of this absence is made. If however you are unable to do this, we ask that you telephone on the morning of the appointment. We will also need to know the approximate time of return.
- When returning to school after an appointment we ask that you accompany your child into school to inform us that they have returned, rather than letting them arrive on their own. You will also need to sign in at the school office.
- If a child needs to leave early for an appointment please collect them from school, as no child will be able to leave the premises without being accompanied by an adult. You will also be asked to sign your child out.
- If your child is away from school for any other reason you will need to put in writing the

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reason for absence and meet with the Headteacher to explain these circumstances. We cannot authorise family holidays during term times.

- If we have no notification of a child being absent and in the unlikely event that they have not turned up to school once the register has been taken, we will then telephone the parents and carers or emergency contact. If we are unable to make contact we will have no alternative but to immediately inform the authorities. This is for everyone's safety.

School Organisation

In order for the school's Attendance Policy to be successful, every member of staff must make attendance a high priority and convey this to the pupils at all times. The School will work in partnership with families and parents and carers need to support these views in the home to ensure that children are receiving corresponding messages about the value of education.

In addition to this, the School has the following responsibilities:

Head Teacher, Governors and designated members of school staff with overall responsibility for attendance to:

- Adopt the whole policy;
- Ensure that the registration procedures are carried out efficiently and that appropriate resources are provided;
- Implement our procedure for contacting parents on the first day of absence;
- Consult and liaise closely with the Local Authority on a regular basis and take responsibility for ensuring appropriate pupils are identified and referred where appropriate;
- To award attendance certificates as part of end of term celebration assemblies (3 x a year);
- Monitor and evaluate attendance with the Local Authority;

Class teachers:

- To complete registers accurately and punctually morning and afternoon;
- To accurately record all absences in the register;
- To inform the Headteacher of any concerns about attendance;

Absence During Term Time

In exceptional circumstances parent and carers can request a leave of absence. All applications must be made in advance by the parent or carer or guardian that the pupil normally resides with. The DfE advice (School Attendance, 2014:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/518586/Advice_on_school_attendance.pdf) is:

'Head teachers should only authorise leave of absence in **exceptional** circumstances. If a head teacher grants a leave request, it will be for the head teacher to determine the length of time that the child can be away from school. Leave is unlikely, however, to be granted for the purposes of a family holiday as a norm. Any leave of absence granted by a school must be recorded as authorised using the appropriate code. Periods that are refused must be recorded as unauthorised.'

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The issues that schools should take into account when considering a request for Authorised Absence include:

- the amount of time requested
- age of the pupil;
- the pupil's general absence/attendance record;
- proximity of SATs and public examinations;
- length of the proposed leave;
- child's ability to catch up the work;
- child's educational needs;
- general welfare of the pupil;
- circumstances of the request,
- purpose of the leave;
- frequency of the activity;
- when the request was made.

Please complete the Leave of Absence form on our website or in the office. Parents and carers will be asked to complete information indicating the requested dates of absence and the reasons for this. The parents and carers are expected to contact the school if anything delays the pupil returning when expected.

The form will also include space for the school to indicate its decision and what action will be taken if permission has been refused and the parents keep their child away. Parents and carers can be given a penalty notice without further warning or prosecuted for periods of unauthorised holiday absence (see DfE advice above and Appendix A for more information).

Monitoring and review

We are aware of the need to monitor and update the school's Attendance Policy on a regular basis, so that we can take account of improvements made in our practice. We will therefore review this policy as part of the school cycle of review.

This policy is monitored by the school governing body and will be reviewed as part of this established cycle of school review or following changes to statutory legislation.

Policy Leader: *Headteacher*

Updated: *Summer 2018*

Approved & signed by governors:

Date:

Review Date: *AUTUMN 2018*

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Appendix A

Gloucestershire County Council Code of conduct for issuing education penalty notices

REVISED January 2019

1. Introduction

1.1 This code has been issued pursuant to The Education (Penalty Notices) (England) Regulations 2007/1867 (as amended) and applies to all schools and academies in Gloucestershire (except for independent schools). All references to the Local Authority mean Gloucestershire County Council.

1.2 Regular and punctual attendance of pupils at school is essential in order for pupils to maximise the opportunities available to them. The purpose of this code is to set out the procedure for issuing penalty notices in respect of the following two offences:

- Education Act 1996, section 444(1): failure by a parent to secure regular attendance at school of a registered pupil
- Education and Inspections Act 2006, section 103: duty of a parent of an excluded pupil to ensure the pupil is not present in a public place at any time during school hours on a school day.

1.3 Penalty notices are not the only means of disposal for these offences. Depending on the circumstances of each case, the Local Authority (LA) may alternatively decide to issue a caution, or to prosecute the offence in a magistrates' court, or to take no further action.

1.4 It is important that decisions about these offences are made in accordance with the Human Rights Act 1998 and the Equality Act 2010 as well as specific relevant legislation, regulations and statutory guidance. Therefore, in Gloucestershire the agreed practice is that all penalty notices will be issued by the LA.

2. Who is a parent?

2.1 Parent means:

- all natural parents, whether they are married or not;
- any person who has parental responsibility for a child or young person;
- any person who has day to day care of a child or young person i.e. lives with and looks after the child.

The LA and the school will need to decide who comes within the definition of parent in respect of a particular pupil when using the legal measures. A penalty notice may be issued to each parent for each child. The definition of a parent in education law is broader than the definition in other legislation. The 'parent' in this case does not need to be named on the birth certificate and could be, for example, the birth parent's current partner if they are involved in the day to day care of the child.

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3. Who can issue a penalty notice?

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3.1 Penalty notices for offences under section 444(1) of the Education Act 1996 must be issued by an authorised officer in accordance with section 444A of the Education Act 1996.

3.2 Penalty notices for offences under section 103 of the Education and Inspections Act 2006 must be issued by an authorised officer in accordance with section 105 of the Education and Inspections Act 2006.

3.3 For the purposes of sections 444A and 105 above, an authorised officer is the Local Authority, a police officer, the headteacher of the relevant school, or a member of staff at the relevant school who has been authorised by the headteacher.

3.4 The practice in Gloucestershire is for all penalty notices to be issued by the LA. The reason for this is that if the penalty notice is unpaid, only the LA may prosecute parents for the original offence, under either Section 444 (1) of the Education Act 1996 or Section 103 of the Education and Inspections Act 2006 and the LA must be able to be satisfied that the penalty notice was issued correctly. This approach also ensures consistency and equity across the county.

4. About penalty notices

4.1 Penalty notices may be issued by the LA under any of the following circumstances:

4.1a An excluded pupil is found in a public place, without a justifiable reason for being there, during school hours on a school day during the first five days of a fixed exclusion period or a permanent exclusion. The parents must have been notified in writing by the school, at the time of the exclusion, of their duty to ensure the child is not found in a public place during school hours and the days to which it applies.

4.1b Code G A minimum of ten sessions of unauthorised absence from school during term-time in order to take a holiday (recorded as Code G on the school attendance register) within the immediately preceding ten week period. In such a case, each parent may be issued with a separate penalty notice for each child taken out of school. The issuing of a penalty notice will also be dependent on the school's published information/attendance policy making it clear to parents that they may be issued with a penalty notice, without warning, if they take unauthorised holidays in term time. It will also be dependent on the school clearly defining regular attendance in a way that will permit the requesting of a penalty notice.

4.1ci Code U Persistent lateness of a pupil arriving at school after the registers have closed (recorded as Code U on the school attendance register) and where there have been ten sessions of unauthorised lateness within the immediately preceding ten week period. For U coded absence, schools must have thoroughly explored the reasons for the U coded absence and considered whether any support or reasonable adjustment may be required from the school to the pupil. Schools should also be able to provide evidence to the LA that this has been done. The issue of penalty notices in relation to U code absences will be dependent on the school's attendance policy and the definition of regular attendance contained within.

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4.1 cii Before requesting a penalty notice in respect of unauthorised absence for lateness, the school should issue a letter to the parent(s) warning that if there is further unauthorised absence within the next fifteen school days then a penalty notice will be requested for each parent. The warning letter must be sent by first class post and formally addressed to each parent and may need to be exhibited in court. The warning letter should be considered as served, and the fifteen day period as starting, two days after being posted to allow for delivery time. If there is no further unauthorised absence within the fifteen school day period no penalty notice will be issued but if

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there are a further ten sessions of absence within the next twelve month period following the warning letter, a penalty notice may be requested. A sample letter for these purposes is contained within Appendix 3.

4.1di Code O Schools cannot request a penalty notice for O Code absence.

4.1dii For the Local Authority to take legal action against parents in respect of O Code absence (or decide to issue a penalty notice as a suitable disposal), schools must provide evidence that the reason for the absence has been fully investigated and that efforts have been made to work with the parent(s) and pupil to improve attendance. This means following the expected school level casework responses before submitting the 'request for legal intervention proceedings' form. The school may be required to provide a detailed witness statement setting out this evidence and the witness may be required to attend court.

4.2 The penalty notice must be paid within 28 days of deemed service, (see 4.3). The amount that will need to be paid will depend on when the payment is made. If full payment is made within the first 21 days, the fine will be £60.00. If, however, payment is made between the 22nd and 28th day, the fine will be £120.00.

4.3 Penalty notices must be served on parents by first class post. Deemed service will be on the second working day after posting. A 'working day' means a day other than a Saturday, Sunday or a public holiday.

4.4 The parent's liability for the specific instance of the offence to which a penalty notice relates will be discharged provided that full payment is made within the prescribed time period.

4.5 If a penalty notice remains unpaid more than 28 days after deemed service, and provided that the penalty notice has not been withdrawn, the Local Authority may proceed to prosecute the original offence in a magistrates' court. It should be noted, however, that the two-stage legal test to which all criminal prosecutions are subject will be applied, namely:

There is sufficient evidence to provide a realistic prospect of conviction; and It is in the public interest to bring the prosecution

The LA will not issue a penalty notice unless there is the likelihood of successful prosecution being achieved for the original offence in the event of the penalty notice not being paid.

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4.6 A maximum of two penalty notices per individual child may be issued in any twelvemonth period to any one parent.

4.7 All schools and academies in Gloucestershire (except for independent schools) are allocated an Inclusion Officer from the Education Inclusion Service who can offer schools support and guidance regarding effective attendance practice and the legal processes to follow, including the operation of this penalty notice code of conduct. Schools and academies are requested to seek advice before requesting a penalty notice if they are unsure if that is an appropriate response.

4.8 There is no right of appeal against a penalty notice. Although this Code of Conduct states that there is no requirement to issue a warning letter before requesting a penalty notice for unauthorised holiday absences (Code G) parents must have been warned of this possibility in the School Attendance Policy and in any communication between home and school at the time the holiday request was made and the decision communicated. Evidence of this could be the warning that is contained on the form the school provides for parents to request leave and/or the warning was given to the parents when the request for leave was refused (if received before the holiday). Copies of the frequent reminders that parents receive, through newsletters, about the school's

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position on term time leave can serve as evidence that parents have been made aware. It would need to be clear that all parents for whom a penalty notice is being requested are aware of the school's position on leave in term time. In order for the LA to be in the best position to support schools with this type of legal intervention it is strongly advised that schools use the sample request for leave of absence form and letters included as appendices to this code of conduct.

5. Procedure for issue

5.1 Responsibility within the LA for the issue of penalty notices is held by the Education Inclusion Service.

5.2 Requests for the issue of penalty notices should be sent either by email or post to:

Email: attendance@gloucestershire.gov.uk

Postal Address: Education Inclusion Service Gloucestershire County Council Shire Hall
Westgate Street Gloucester GL1 2TP

If sent by e-mail, the headteacher's signature is still required on the attendance printout and on the penalty notice request form. By signing the form the Headteacher confirms that he/she is satisfied that the people for whom the penalty is being requested have parental responsibility under education law and reside at the address given. The school is then responsible for any data breaches that occur as a result of legal notices being served to an incorrect address they have provided.

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Penalty notices for offences under section 444(1) of the Education Act 1996:

Each request should include the following documents:

- Completed and signed 'Request For Penalty Notice' form (appendix 5)
- Excerpt from the school's Attendance Policy that demonstrates the school's expectation that registered pupils should attend school for all available sessions unless the absence is authorised by the school and that shows parents have been warned that they put themselves at risk of receiving a penalty notice, without warning, if they take unauthorised leave in term time
- Records of any other relevant communications with the parent(s) e.g. letters, emails, logging of phone calls, home visits
- Copy of the registration certificate from the period in question and which also includes the name and address of the child and his/her parents. This must be signed and dated by the headteacher.
- In the case of G code absence: a copy of the request for absence form the parents submitted and the reply form the school sent to refuse the leave of absence. In order for the LA to be in the best position to support schools with this type of legal intervention it is strongly advised that schools use the sample request for leave of absence form included as appendices to this code of conduct (appendix 1). Where leave of absence was not requested by the parents, the school should include the letter they sent to the parents informing them that the absence has been recorded as an unauthorised holiday and on what basis the Headteacher has made that decision. In order for the LA to be in the best position to support schools with this type of legal intervention it is strongly advised that schools use the sample letter included as an appendix to this code of conduct (appendix 2).
- In the case of U code absences: a copy of the formally written and correctly served warning letter that had been sent to each of the parents for whom the penalty notice is being requested and the evidence set out in paragraphs 4.1c and 4.1d above. In order for the LA to be in the best position to support schools with this type of legal intervention it is strongly

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advised that schools use the sample letter included as an appendix to this code of conduct (appendix 3).

Penalty notices for offences under section 103 of the Education and Inspections Act 2006: Each request should include the following documents: Completed and signed 'Request For Penalty Notice' form Copy of the legally worded exclusion letter that had been correctly served to each of the parents for whom the penalty notice is being requested Records of any other relevant communications with the parent(s) Evidence that the pupil was present in a public place during a prohibited period also needs to be provided, typically the statement of a responsible person who witnessed the event. Evidence that supports the witness statement, such as photographs, should be exhibited to the statement.

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5.3 The Education Inclusion Service will:

Check that the criteria for issuing a penalty notice are met Contact the referrer in writing regarding the outcome of the request providing reasons if the decision is made not to issue a penalty notice Serve penalty notices by first class post in accordance with relevant legislation, regulations and this code of conduct Collect payment Where appropriate, and in accordance with section 6.1 below, withdraw penalty notices in accordance with relevant legislation, regulations and this code of conduct Report annually on the use and outcomes of penalty notices issued in respect of education matters.

6. Circumstances when a penalty notice can be withdrawn

6.1 A penalty notice, once issued, may be withdrawn by the Local Authority if the Local Authority determines that it meets at least one of the following criteria:

It ought not to have been issued It ought not to have been issued to the person named as the recipient It contains material errors It is unpaid and the Local Authority decides to take no further action

6.2 If a penalty notice is withdrawn, the Education Inclusion Service send notice of the withdrawal to the recipient and refund to the person who paid it any part of the penalty which has been paid and also inform the original referrer of the decision.

7. Monitoring and review

7.1 The Education Inclusion Service must maintain records of penalty notices including:

a copy of each notice issued a record of all payments made and on what dates whether the notice was withdrawn and on what grounds whether the penalty notice led to a prosecution and which offence was prosecuted.

7.2 This Code of Conduct will be reviewed at least annually, or as and when changes to relevant legislation and regulations are made.

Education Inclusion Service Gloucestershire County Council, January 2019