



Attendance & Punctuality Policy

Review Cycle: 2 Years – Autumn Term

Review By: Leadership Team, Behaviour & Attendance
Sub-Committee

Introduction

At Alcester Academy we recognise that regular school attendance is essential to ensure uninterrupted progress and to enable children to extend their potential. The attendance pattern for all children is monitored weekly with the school seeking to work actively with parents and carers to ensure a regular pattern of attendance is maintained. We expect every pupil on roll to attend every day when the school is in session, as long as they are fit and healthy enough to do so. We will endeavour to offer support when barriers to learning have been identified and aim to safeguard your child in line with Keeping Children Safe in Education 2016. (Last updated September 2021)

One of our basic principles is to celebrate success. Good attendance is fundamental to a successful and fulfilling school experience. We actively promote 100% attendance for all our pupils, and we use a variety of termly and annual awards to promote good attendance and punctuality. We encourage children to attend and put in place appropriate procedures to support this. We believe that the most important factor in promoting good attendance is the development of a positive attitude towards school and learning.

Poor attendance can seriously affect each child's:

- Attainment in school
- Relationships with other children and their ability to form lasting friendships
- Confidence to attempt new work and to work alongside others

The Governors and Head Teacher, in partnership with parents and carers have a duty to promote full attendance at school under **legislation** and 'safeguarding'

Aims and Objectives

The aims and objectives and policy are to:

- To emphasise the importance of and secure from pupils, maximum attendance and promote punctuality to enable them to take full advantage of their education opportunities.
- To clarify the roles and responsibilities of all parties with respect to attendance;
- To communicate to all relevant parties (teachers, parents/carers) the legal position with respect to attendance and the categories of absence which are deemed "authorised";
- To stress the need for home and the school to work in close partnership to achieve high attendance and punctuality.
- Record and monitor attendance and absenteeism and apply appropriate strategies to minimise absenteeism;
- Promote effective partnership with the Warwickshire Attendance Service (WAS) and other services and agencies and follow their standard approaches in managing attendance issues.

Statutory Duty

Schools are responsible for recording pupils' attendance twice a day; once at the start of the morning session and once during the afternoon session. An entry must be made on the attendance register for all pupils of compulsory school age who are on the school's admission roll. The schools utilises a central administrative system – SIMS for this purpose.

Parental Responsibility and/or day to day care.

Parents have a legal duty to ensure that their child attends school regularly and arrives on time.

The Education Act 1996 section 7 defines the Duty of parents to secure education of children of compulsory school age.

(7) The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable:

- (a) to his age, ability and aptitude, and*
- (b) to any special educational needs and or disability he may have, either by regular attendance at school or otherwise.*

The Education Act 1996 section 576 defines the meaning of “parent”.

(1) In this Act, unless the context of otherwise requires, “parent”, in relation to a child or young person, includes any person-

- (a) who is not a parent of his but who has parental responsibility for him, or*
 - (b) who has care of him,*
- except that in section 499(8) it only includes such a person if he is an individual.*

Definition of a parent

A parent means:

All natural parents, whether they are married or not.

Any person who has parental responsibility for a child or young person; and

Any person who has care of a child or young person i.e., lives with and looks after the child.

The local authority and school will need to decide who comes within the definition of parent in respect of a particular pupil when using the legal measures, but generally parents include all those with day-to-day responsibility for a child.

Local Authority Responsibility

If a child of compulsory school age fails to regularly attend the school which he/she is registered at, then the parent/guardian is guilty of an offence under section 444 of the Education Act 1996. Since March 2001 there has been a further offence where a parent, knowing that their child is failing to attend regularly at schools, fails without reasonable justification to cause him/her to attend can be prosecuted under Education Act 1996, section 444 1A (as amended by the Criminal Justice and Court Service Act 2000).

Section 23 of the Anti-Social Behaviour Act 2003 introduced new powers in relation to issuing penalty notices for unauthorised absence from school. The Education (Penalty Notices) (England) Regulations 2004 came into force on 27 February 2004. Penalty notices must be issued in a manner which conforms to all requirements of the Human Rights Act and all relevant Equal Opportunities Legislation. To this aim each Local Authority has a Code of Conduct in relation to issuing Penalty Notices.

Alcester Academy recognises the Warwickshire Attendance Service referral process which may lead to prosecution where it is fair and equitable to do so.

School Interventions for Managing Persistent Absenteeism

A pupil becomes a 'persistent absentee' (PA) when their attendance falls below 90%. All students whose attendance have fallen to this level or are at risk of reaching this level will be closely monitored through the School's tracking procedure, and regular contact made with their parents/carers. Parents/carers will be given opportunities to work with school to support improvement in their child's attendance.

There are a number of sanctions that school can take to address the issue of non-attendance. In order to try and identify the reason for absence we will always talk to you first to identify the reason for absence. Penalty Notices (Anti-Social Behaviour Act 2003) Penalty Notices will be considered when:

- A pupil is absent from school for the purpose of a Leave of Absence in term time and the absence has not been authorised by the school.
- A pupil has accumulated at least ten sessions of unauthorised absence and further absence has occurred following a written warning to improve. Where at least 10 sessions (5 school days) are lost due to unauthorised absences in any 100 sessions (50 school day) period. Penalty Notices will be used in accordance with Warwickshire County Council Code of Conduct.

Where intervention through the support from the WAS Caseworker fails to bring about an improvement in attendance the Local Authority will be notified and legal action in the Magistrates Court may be taken. The school will provide the Local Authority with evidence required for a prosecution under section 444/4441 (a) of the Education Act 1996 and will appear as a prosecution witness if required by the court. This is to ensure that parents realise their own responsibilities in ensuring their child's attendance at school.

School Day and Punctuality

- The Alcester Academy Day begins **at 8.50am**
- Registers are open until **9.10am** – After this time parents will need to bring their children to the main reception.
- Afternoon Registers are taken **at 12.35pm**
- School day ends **at 3.25pm**

All pupils arriving **5** minutes after the start of each session will be coded as authorised late (L code). At each registration session any child not present is marked as absent. If a child subsequently arrives after **9.10a.m.** the child is marked as unauthorised late (U code) unless a valid reason is supplied.

Reporting absences/First day absence

It is the responsibility of parents/carers to inform the school by **9.30am** on the first day of their child's absence. If by **9.30am** on the first day of a child's absence the school has not been notified, the Attendance Officer will attempt to contact the child's parent/carer. If there is no response, the school will continue to try to contact the parent/carer including by phone & school comms messaging. If no reason has been provided by the parent by the end of the second day, the school may send a letter of concern to the parent/carer and/or may undertake a home visit. Parents are expected to contact school every day the pupil is absent.

Authorising Absences

There are two categories of absence:-

- (i) Authorised (approved)
- (ii) Unauthorised (not approved)

Only the Headteacher or Designated member of staff can approve absence. Parents do not have this authority. Consequently not all absences supported by parents will be classified as authorised.

(i) Authorised Absence

An absence is classified as authorised when a child has been away from school for a legitimate reason and the school has received notification from a parent. For example, if the child has been unwell and the parent writes a note, telephones the school to explain the absence or provides medical evidence if required.

(ii) Unauthorised Absence

An absence is classified as unauthorised when a child is away from school without the permission of the school. Therefore, the absence is unauthorised if a child is away from school without good reason, even with the support of a parent.

Where the designated member of staff is unsure of the category of absence the Headteacher will decide on the evidence provided. The decision will be made after referring to attendance coding guidance published by the Department for Education (DfE).

Medical Evidence and Supporting Evidence

We ask that parents making medical appointments for their child, book them early or late in the day, so pupils can be in school for at least half the day.

The school fully supports pupil's welfare and medical conditions and if your child has a chronic, persistent or recurrent health issue, we can arrange for a meeting with parents to discuss what additional support can be offered to help your child to access school however we cannot simply accept parental information without the appropriate medical evidence. Pupils with medical conditions should attend school as per normal unless the absence is supported by medical opinion.

- An appointment card or verification by the Doctor/Dentist/Hospital is required
- If it is necessary for a child to be out of school for any of these reasons, the child should be returned to school directly after the appointment or register prior to the appointment.
- Medical evidence may be required for absence greater than 5 days

There are, of course, good reasons (especially illness), which make attendance at school sometimes difficult. Nevertheless, lessons missed cannot be repeated and "catching up" is never as good as the original learning experience.

The school recognises the need to support pupils during and after long term absence of any kind and will:

- i. Endeavour to provide work for pupils to be completed off-site where appropriate and medical evidence has been received.
- ii. Consider all strategies in partnership with WAS and other agencies to encourage the return of pupils to school. This may include negotiated timetables and/or gradual re-integration and use of LSU.

- iii. Ensure that there is a positive atmosphere within school in which pupils are welcomed back.

Encourage parents/carers to be actively involved in re-entry programmes.

Roles and Responsibilities in managing attendance and punctuality

We expect that all pupils will:

- attend school regularly
- attend school punctually
- attend school appropriately prepared for the day.

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

- ensure regular school attendance
- ensure that the child/children in their care arrive at school punctually prepared for the school day
- contact the school on the first day of the child's absence and keep in regular contact with school
- contact the school promptly whenever a problem occurs that may keep the child away from school.

We expect that our school staff will:

- keep regular and accurate records of attendance for all pupils, twice daily, including recording pupils late
- monitor every pupil's attendance
- contact parents as soon as possible when a pupil fails to attend where no message has been received to explain the absence
- follow up all unexplained absences to obtain notes which provide a reason for the absence
- contact those families whose child's attendance has dropped below 95% on a half termly basis
- encourage good attendance
- provide a welcoming atmosphere for children, provide a safe learning environment; provide a sympathetic response to any pupil's concerns
- make initial enquiries of parents/carers of pupils who are not attending regularly, express their concern and clarify the school's and statutory expectations with regard to regular school attendance
- refer irregular or unjustified patterns of absence to the Head Teacher, Assistant Head teacher (Pastoral) or attendance officer.
- Invite parents/carers to meet in school and discuss attendance and/or punctuality with parents/carers.
- Involve outside agencies where and when appropriate (WAS, Early Help)
- publish and display attendance statistics / absence data
- Reward excellent attendance

Periods of Remote Learning / Home Schooling

There may be occasions when children are expected to work from home, by accessing remote learning online. There will be a mixture of 'live' teacher led lessons and complimentary work set for all timetabled lessons. Students will be expected to log into each session to complete the work set and feedback to their teachers if appropriate. Students will also be expected to log into their tutor group session as requested by their tutor. This will enable staff to check that students are 'fit & well' and will satisfy the school's safeguarding requirements.

The same high standards of behaviour will be expected when accessing remote schooling, as in the school classroom. Staff will monitor remote lessons and contact home should concerns arise. Students experiencing problems with accessing remote learning from home should contact their form tutor in the first instance for support. Staff will monitor 'learning from home' and contact parents / carers if they have any concerns regarding student engagement or welfare.

Monitoring attendance

Pupils whose percentage of attendance falls below 95% will be reviewed by school staff and parents will be notified by letter. Where attendance continues to cause concern, we will write a letter to parents and ask that evidence is provided to justify absences. We may arrange to meet with parents to discuss attendance.

Failure to make an acceptable improvement or where there is an immediate concern further intervention's will be considered.

If difficulties relating to absenteeism cannot be resolved through intervention at school level, then we may refer the pupil to WAS for casework intervention which may lead to prosecution. We will notify parents if we feel this intervention is needed.

Pupils with long-term attendance problems

Truancy – What do we mean?

There is no identikit truant because reasons for non-school attendance are so different. Children may fail to attend school for a wide variety of reasons, including illness, family bereavement, visits to the country of origin, family holidays, being a young carer, unhappiness at school or finally a defiant rejection of parental or school authority.

The term 'truancy' has generally been used where the decision to miss school is taken by the child without parental or other authority, and where the child uses the time for his or her own purpose. This truancy is seen as either a response to great unhappiness, or more commonly a small act of rebellion. It does not encompass the many other occasions on which a child may not attend school for other reasons.

Some of the most important factors behind truancy lie outside school, above all in family relationships and peer pressures. But how schools operate can make a great difference in shaping whether children do in fact truant.

What school and the WAS service can do?

The three major areas of influence upon non-attendance (individual, family and social, and school factors) require close cooperation between a range of services to reduce truancy.

Strategies to tackle truancy in Warwickshire:

- LA targets to reduce unauthorised absence
- School targets in line with DfES target setting guidelines
- Publish data on schools' performance on attendance
- Schools having a proactive school attendance policy
- County literacy and numeracy strategy
- Computerised registration so schools can identify patterns and possible cures
- Curriculum – initiatives on opening up opportunities at KS4
- Police Powers to remove truants

- Parenting contracts – a voluntary agreement between parents, Warwickshire Attendance Service (WAS) and school setting clear expectations and goals
- Fixed Penalty Notices and prosecution of parents who fail to ensure that their child attends regularly
- Parenting Order – Where a parent has been convicted of failing to secure a child's attendance at school. Court will be able to impose a parenting order for up to 12 months. It can include specific obligations upon the parent (e.g. parent escorts the child to school)
- Joint work between schools and WAS to effectively reduce persistent and unauthorised absence
- Warwickshire Attendance Service (WAS) offering a range of strategies to help reduce unauthorised absence
- Governors taking an active role on monitoring their schools' performance on attendance

“School Refusal”

Principles:

Often youngsters refusing to attend school have complex, inter-relating difficulties arising from health, family, social and educational factors. In cases where non-attendance becomes well established, involvement of professionals beyond the school may be indicated. It is important that their respective roles and responsibilities are agreed and that clear procedures for liaison, consultation and collaboration are established.

The key principles under-pinning roles, responsibilities and procedures are:

- The school retains responsibility for ensuring that the involvement of the various agencies is gained, as appropriate
- The group of involved professionals is jointly responsible for the decision to seek to involve a further professional group
- Decisions to involve a given professional group will be based on: - Criteria agreed, for example, time intervals - Clarification of the roles and responsibilities of each group - Responsibilities of each group for example experience
- Withdrawal from a case by any professional group follows the agreement of the existing stakeholder group

School Responsibilities in relation to School Refusal

To develop a school culture that operates to reduce the risk of school refusal. This may include policy and practice regarding:

- Bullying and other forms of harassment, including racial
- Social inclusion
- Extra-curricular opportunities
- Mentoring schemes
- Special Educational Needs

To raise teachers' awareness of the indicators of a child at risk of school refusal:

- Training
- School policy regarding the respective roles of SEN and pastoral care staff.
- School Warwickshire Attendance Service (WAS) links

To identify children at risk and then to:

- Engage with parents
- Investigate any school based difficulties and respond
- Consult Warwickshire Attendance Service (WAS)
- Consult School Health staff

- Avoid any indication on condoning absence

To identify a named person to ensure referral to other agencies, as appropriate.

- This is the role of the assistant head (Pastoral)

Warwickshire Attendance Service (WAS) Responsibilities in relation to School Refusal

To advise schools of their responsibilities in relation to individual cases i.e., support implementation of school's responsibilities. In collaboration with the school, to advise parents of:

- The legal position
- Their responsibilities
- To liaise with school health advisers and community paediatricians.
- To plan further action on the basis of agreed approaches.

To discuss with school and family the possible need for:

- Further assessment, for example, by school's E.P
- Further within school support, for example, by SEN Support Services
- Further involvement of School Health
- To establish and maintain the County database re children out of school.

Educational Psychology Service (EPS) - Responsibilities in relation to School Refusal

- To consult with those already involved
- Where necessary, to carry out further assessments
- To advise on future case management

Health Service Responsibilities in relation to School Refusal

School Health

To provide consultation to parents, school and WAS about possible Child and Adolescent Mental Health (CAMH) concerns, and about other health issues. As appropriate to communicate such concerns to child's G.P. and CAMHS.

General Practitioners (G.Ps)

G.Ps have been asked to liaise with schools, either directly or through School Health staff, when presented with cases of school refusal.

Child and Adolescent Mental Health (CAMHS) concerns

CAMHS professionals may become involved with cases where school refusal is a concern before the case is brought to the attention of Education Department staff. If this happens it would be helpful, if the family is willing, to inform the school's named person. (From within the Education Service, referrals to CAMHS would not normally be expected prior to consultation with the school's E.P.)

Children who are unable to attend for health reasons

The school retains responsibility for the delivery of a pupil's education for as long as the pupil is on the school roll. Sick children must not be taken off the school register without the consent of their parents and prior consultation with the LA even after long absences arising from ill health. Some pupils may be too sick or unwell to do any schoolwork, but schools should not assume that pupils away from school because of ill health are unable to work.

The school should ensure that:

- all non-attendance related to ill health is properly authorised and monitored by a relevant medical practitioner, and that
- advice and assistance is sought as appropriate from the School Health Service and/or the WAS Service
- Referral is made to W.C.C – Flexible Learning Team and liaison between this service and school is maintained for the duration of the child's illness

The Assistant Head for Inclusion and the relevant College Leaders are the teachers nominated as responsible for co-ordinating educational provision for each pupil unable to attend school because of long-term ill health. The school is not expected to provide home-based teaching as this is the responsibility of W.C.C under their Flexible Learning Team.

Flexible Learning Team. The nominated member of staff must;

- consider the possibility of providing education out of school when a pupil has been absent for two weeks because of ill health, or when there is a series of absence of one week or more
- contact parents to discuss needs and make appropriate educational provision
- liaise with W.C.C – Flexible Learning Team to ensure mutually acceptable arrangements have been made with parents for the regular setting, supervision, marking and collection of work
- co-ordinate the school's response by providing a suitable programme of work for the pupil in cooperation with W.C.C – Flexible Learning Team
- consider with parents whether it would be appropriate for any member of the school staff to undertake a pastoral visit to home or hospital, or whether it would be appropriate to encourage school friends to write or visit
- liaise with all relevant Education, Health or Social Service professionals, and
- maintain records of all pupils for whom the LA is providing education out of school

The nominated teachers should refer to the LA in all circumstances when the total length of absence from school is expected to exceed 4 weeks or 20 school days, or when it is considered that the long term health needs of the pupil may result in intermittent attendance which could have a significant impact on the pupil's education.

- Parents must give prior consent to the referral itself and to the LEA seeking all relevant medical information and advice
- All referrals must be made by the school. The LA will not accept referrals from parents or agencies (except in the case of sudden hospital admissions)
- Schools can help the LA to respond promptly both by providing the earliest possible notification and by ensuring that the referral is completed in full. It is particularly important to provide the correct names, addresses and telephone numbers of all relevant medical personnel so that the LA can seek information and advise quickly. When considering the needs of pupils with mental health difficulties, the LA will consult with the Child and Adolescent Mental Health Services (CAMHS) either directly or through local area panels.

Procedures for Tracking and Monitoring Pupils Out of School

Warwickshire Attendance Service (WAS) is the service responsible for tracking and monitoring pupils out of school.

Home Education

For parents opting to educate their child at home, the following information should be considered:

- A centrally held LA register of all home educated children is managed by the Principal Lead at W.C.C
- Schools forward a copy of a letter from parents who have decided to educate their child at home, to the Principal Lead at W.C.C

- W.C.C carry out a home visit to explain monitoring system and whether parents are clear on the implications of home education.
- An annual LA inspection occurs

Procedures for checking children who move away from a school without notice.

- Regulation 9. (1) G. The Education (Pupil Registration) Regulations 1995.
Where a pupil of compulsory school age has been continuously absent for four weeks or more, his name may not be deleted from the admission register until both the school and the local education authority have failed after reasonable enquiry, to locate the pupil.

School should carry out all reasonable enquiries which could include:

- Telephone call to parents
- Letter to parents
- Any information from peers
- Contact with any other known associates or professionals;
- Home Visit

If the child is known to be on the Child Protection Register the school will advise the DSL immediately.

If child is out of school for 2 weeks without explanation being given – then referral to Warwickshire Attendance Service (WAS) happens as a matter of course. WAS Caseworkers will then carry out those enquiries which are appropriate: - (Timeline 2 weeks)

- Home visit immediately
- Check with neighbours to establish if family have moved
- Contact emergency numbers
- Contact child's friends
- Contact Housing Association
- Contact other services involved
- Contact health agencies

- If no information, agree with school to remove the child from the school.
- Common Transfer file to be uploaded onto 'School2School' database.
- If the authority the family have moved to is known, Warwickshire Attendance Service (WAS) will write to them with details of family and attendance and any other points

Attendance Rewards

Alcester Academy actively promotes and rewards pupils who achieve good attendance and punctuality.

Each week the school identifies and celebrates the class with the highest attendance and publishes these successes in the weekly bulletin.

Certificates are awarded at the end of each term for 100% attendance and special badges of recognition awarded for 100% attendance each year and Epraise points for good and excellent attendance. Attendance over 95% is also rewarded by inclusion in the rewards trios in conjunction with good behaviour.

Requests for Leave of Absence

The Government issued new regulations in September 2019 regarding Leave of Absence; The Education (Pupil Regulations) (England) Regulations 2006 as amended by Education (Pupil Regulations) (England) (Amendment) Regulations 2013

- Head teachers **shall not** grant **any** Leave of Absence during term time **unless they consider** there are **exceptional** circumstances relating to the application.
- Parents do not have any entitlement to take their children on holiday during term time. Any application for leave must establish that there are **exceptional circumstances** and the Head Teacher must be satisfied that the circumstances warrant the granting of leave.
- Head Teachers will determine how many school days a child may be absent from school if the leave is granted.
- The school can only consider applications for Leave of Absence which are made by the resident parent. i.e the parent with whom the child normally resides.
- Applications for Leave of Absence must be made in advance and failure to do so will result in the absence being recorded as “unauthorised”. This may result in legal action against the parent, by way of a Fixed Penalty Notice.
- Applications for Leave of Absence which are made in advance and refused will result in the absence being recorded as “unauthorised”. This may result in legal action against the parent, by way of a Fixed Penalty Notice, if the child is absent from school during that period.
- All matters of unauthorised absence relating to a Leave of Absence will be referred to the Warwickshire Attendance Service of Warwickshire County Council.
- The Warwickshire Attendance Service have the authority to consider issuing Fixed Penalty Notices for Leave of Absence in line with the Warwickshire County Council’s Non-School Attendance and Penalty Notices Code of Conduct. (A copy of which can be found at <https://www.warwickshire.gov.uk/pupilnonattendance>).
- If a Fixed Penalty Notice is issued and is not paid within the timeframe set out in that Notice, the matter will be referred to Warwickshire County Council’s Legal Services to consider instigating criminal prosecution proceedings under S444 of Education Act 1996.

Each application for a Leave of Absence will be considered on a case by case basis and on its own merits.

Holidays

Parents should be reminded that they do not have any legal entitlement to take their child on holiday during term time and applications for leave of absence must be made in advance.

Removing children from school disrupts the flow of learning and can lead to Fixed Penalty Notices being issued to each parent / carer of each child by the Local Authorities Warwickshire Attendance Service (WAS). Where a Fixed Penalty Notice is issued and not paid within the required time frame as set out on the notice, the matter will be referred to W.C.C Legal Services to consider instigating criminal proceedings under S444 Education Act 1996.

Deletion from Register

Pupils will only be deleted from the register in accordance with the Education (Pupil Registration) (England) Regulations 2006 as amended in the 2016 Pupil registration regulations.

Alcester Academy will follow Warwickshire County Council's Children Missing Education Protocol when a pupil's whereabouts is unknown.

It is important that if families decide to send their child/children to a different school that they inform our school staff as soon as possible. A pupil will not be removed from our school roll until the following information has been received and investigated:

- The date the pupil will be leaving our school and starting the next
- The address of the new school
- The new home address, if it is known

The pupil's school records will then be sent on to the new school as soon as possible. Failing to notify Alcester Academy will result in a referral to Warwickshire County Council's Children Missing Education Service.

School Attendance Focused Target

Alcester Academy's attendance target is 96%

In September 2015, the DfE carried out a review of the Persistent Absence (PA) levels. This review increased the level from 85% to 90% and updated the methodology for calculating PA. In previous years, a pupil had to amass a set number of absences (previously 57 sessions) before being deemed as PA. However, a pupil is now deemed as PA if they miss 10% of their own individual sessions; meaning all pupils below 90% will be PA regardless of the time of year.

The Ofsted Framework now requires pupils within the bottom 10% attendance to be monitored and for schools to be aware of the reasons for their absence.

Monitoring and Review

Achievement against Alcester Academy's attendance targets will be reported upon to the Governing Body. The Headteacher together with the Assistant Head (Pastoral) will monitor the effectiveness of this policy and procedures and where necessary make recommendations to the Governing Body for improvement.

The school will keep accurate records on file for a minimum period of three years.

The absence rates will be reported on the school's website.

19. Relationship to other Policies

The Attendance policy should be read in conjunction with:

- Guidance on admissions
- Equality Statement
- Keeping Children Safe in Education
- Safeguarding & Child Protection Policy

Signed: _____ Chair of Governors

Signed: _____ Headteacher

Date: _____

(ratified by the Full Governing Body on 8th February 2022)

LEAVE OF ABSENCE DURING TERM TIME

INFORMATION FOR PARENTS

The Supreme Court recently reached a decision in the case of *Platt v Isle of Wight Council* which has clarified the law on unauthorised leave, including holidays, during term time. The parents of children of compulsory school age are required to ensure that they attend school on a regular basis. The Supreme Court has made clear that attending school 'regularly' means that the children must attend school on every day that they are required to do so. As such, the parents of any child who is absent from school without authorisation for any length of time are likely to be considered as committing an offence under s444 of the Education Act 1996.

Head Teachers retain the ability to authorise leave in accordance with the Education (Pupil Registration) (England) Regulations 2006. When considering such requests for a leave of absence, the school are obliged to act within the law. Head Teachers may not grant any leave of absence during term time unless there are exceptional circumstances relating to the application. If the leave is granted, head teachers are able to determine the number of school days a child can be absent for.

It is for the Head Teacher to decide what is 'exceptional' and it is at their discretion if the circumstances warrant the leave to be granted. The school can only consider Leave of Absence requests which are made by the 'resident' parent.

Each application for a leave of absence will be considered on a case by case basis and on its own merits.

Where applications for leave of absence are made in advance and refused, the child will be required to be in school on the dates set out in the application. If the child is absent during that period, it will be recorded as an unauthorised absence, which may result in legal action being taken against the parent(s), by way of a Fixed Penalty Notice.

Failure to make an application for leave in advance can also result in a Fixed Penalty Notice being issued to the parent(s).

All matters of unauthorised absence relating to a Leave of Absence will be referred to the Warwickshire Attendance Service, part of Warwickshire County Council

It is important to note, Fixed Penalty Notices are issued to each parent of each absent child, (for example 2 children and 2 parents, means each parent will receive 2 invoices in the amount of £120 each, totalling £240 for both children, this is reduced to £60 per child if paid within 21 days).

Where a Fixed Penalty Notice is not paid within the required timeframe as set out on the notice, the matter will be referred to Warwickshire County Council's Legal Services to consider instigating criminal proceedings under S444 Education Act 1996.

Fixed Penalty Notices are issued in accordance with Warwickshire County Council's Code of Conduct for Penalty Notices.

Your child's progress academically as well as socially is our shared priority

Warwickshire School pupils recorded 31,196 half day sessions of absence due to holiday in the Autumn term 2019.