



## **POLICY DOCUMENT FRONT PAGE**

Attendance Policy

**CURRENT POLICY**

**APPROVED BY ALEC HUNTER LOCAL GOVERNING BODY**

**THIS POLICY IS REGULARLY REVIEWED  
FOLLOWING RECOMMENDED GUIDELINES**



## STUDENT ATTENDANCE POLICY

### Expectations and Routines

Alec Hunter Academy is committed to providing a positive learning environment, which values, challenges and supports every student through providing opportunities for them to achieve as their own individuals. Staff at Alec Hunter Academy recognise that regular and punctual school attendance is essential for all students if they are to succeed both academically and socially.

It is the responsibility of all staff to promote good attendance, firstly, by regularly attending themselves. Positive action should be taken to encourage good attendance by ensuring lessons are challenging, stimulating, and rewarding for students, thereby leading to students wishing to attend. The environment of the school should be welcoming, and attention paid by staff to the relationships between themselves and students, and between students.

Good and improved attendance should be celebrated. Form tutors, subject teachers, Student Support Leaders, Heads of Year, the Home-School Attendance Officer and Leadership Group all have a key role to play in striving towards good attendance. Alec Hunter Academy will give a high priority to conveying to parents/carers and students the importance of regular and punctual attendance. We recognise that parents/carers have a vital role and that there is a need to establish strong home-school links and communication systems that can be utilised whenever there are concerns surrounding attendance.

As a school we will actively promote and encourage 100% attendance for all students. Each year the school will examine its attendance figures and set targets. The school will regularly review its system for improving attendance and punctuality and take account of changes in the Education Law.

Attendance at 90% or below means that a student has fallen into what is called the Persistent Absentee (PA) Category, a criterion set by the Government. Staff at Alec Hunter Academy will endeavour to reduce the number of students with persistent absence, (10% or above), as required by the Department for Education (DfE). The school will actively work with parents/carers and students, along with outside agencies and professionals to achieve the school targets in this regard and all PA students and their parents/carers will be subject to a school-based meeting where a plan will be written to support an improvement. The Home-School Attendance Officer will also monitor the attendance of all students on the registers, identify patterns in absence and intervene appropriately to address concerns.

We will give a high priority to conveying to parents/carers and students the importance of regular and punctual attendance. Although we recognise that parents/carers have the legal responsibility for ensuring their child's good attendance and punctuality, staff at Alec Hunter Academy work together with other professionals and agencies to ensure that all students are encouraged and supported to develop good attendance habits. Procedures mentioned within this policy are followed to ensure this happens.

Students who are regularly late or absent fall behind with and develop large gaps in their learning which will impact on their progress. As a school, we will organise and do all we can to ensure maximum attendance for all students. If there are problems which affect a student's attendance, we will investigate, identify and strive in partnership with parents/carers to resolve those problems as efficiently as possible. Alec Hunter Academy works in partnership with Attendance Compliance to address issues relating to attendance.

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

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

The DfE has produced guidance for maintained schools, academies, independent schools, and local authorities: Working together to improve school attendance. Our Attendance Policy reflects the key principles of that guidance.  
<https://www.gov.uk/government/publications/working-together-to-improve-school-attendance>

This policy is written with the above guidance in mind and underpins our school ethos to:

- Improve students' achievements by ensuring high levels of attendance and punctuality.
- Create a culture in which good attendance and punctuality are recognised as the norm and are seen to be valued by the school.
- Promote children's welfare and safeguarding.
- Ensure every student has access to the full-time education to which they are entitled.
- Ensure that students succeed whilst at school.
- Ensure that students have access to the widest possible range of opportunities at school, and when they leave school.

It has been developed in consultation with school governors, teachers, local Headteacher Associations, the Local Authority and parents/carers and carers. It seeks to ensure that all parties involved in the practicalities of school attendance are aware and informed of attendance matters in school and to outline the school's commitment to attendance matters. It details the responsibilities of individuals and groups involved and the procedures in place to promote and monitor student attendance.

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

- Promoting a positive and welcoming atmosphere in which students feel safe, secure and valued and encourage a sense of their own responsibility.
- Raising awareness with parents, carers and students of the importance of (uninterrupted) good attendance and punctuality at every stage of a student's education.
- Working in partnership with students, parents, carers, staff and the Local Authority (Attendance Compliance) so that all students realise their potential, unhindered by unnecessary absence.
- Ensuring that attendance is monitored effectively and reasons for absences are recorded promptly and consistently.
- Ensuring consistency when monitoring attendance and recognising achievement and dealing with difficulties.

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

### **Promoting Regular Attendance**

At Alec Hunter Academy, we believe in developing good patterns of attendance and set high expectations for the attendance and punctuality for all our students from the outset. It is a central part of our school's vision, values, ethos, and day to day life. We recognise the connections between attendance, attainment, safeguarding and wellbeing.



**The name and contact details of the senior leader responsible for the strategic approach to attendance in our school is: Mr A Booth, Assistant Headteacher who can be contacted through the school office.**

Helping to create a pattern of regular attendance is the responsibility of parents/carers, students, and all members of school staff.

To help us all to focus on this we will:

- Celebrate excellent attendance by displaying and reporting individual and class achievements.
- Promote the importance of good attendance and punctuality in lessons and tutorials.
- Reward good or improving attendance by contacting home.
- Award House points to students for consistent and improved attendance and in Year 11 these can be converted to Prom Points.
- Run regular reward programmes for a selected group of disadvantaged students who we are targeting to improve their attendance.
- Each term issue certificates in Celebration Assemblies for students who achieve 100% attendance.
- Display the names of students with 100% attendance for the academic year on our honours board in the Main Hall.
- Give a special prize in Presentation Evening for students who achieve 100% attendance for the 5 years at Alec Hunter.
- Report to parents/carers regularly on their child's attendance.
- Contact parents/carers should their child's attendance fall below the school's target for attendance.
- Promote the importance of good attendance and punctuality in meetings with parents/carers.

### **Understanding Types of Absence**

Parents/carers should be clear of the difference between authorised and unauthorised absence. Students are expected to be in school, on time, every day the school is open or that the student is timetabled to be present, unless the reason for the absence is unavoidable.

Any absence affects the pattern of a child's schooling and regular absence will seriously affect their learning. Any student's absence or late arrival disrupts teaching routines and so may affect the learning of others in the same class. Ensuring a child's regular attendance at school is a parental responsibility and allowing absence from school without a good reason creates an offence in law and may result in prosecution.

**Every half-day absence from school must be classified by the school (not by the parent), as either authorised or unauthorised. Therefore, information about the cause of any absence is always required.** Each half-day is known as a 'session'.

**Authorised absences** are morning or afternoon sessions away from school for a genuine reason such as illness or other unavoidable causes and the school have received notification from parents/carers. For example, if a student has been unwell and the parent telephones the school on the morning of the absence to explain the reason. Only the school have the power to make an absence authorised. Parents do not have this authority.

Absence for the following reasons could be authorised and it is anticipated that parents will confirm their child's expected return day to school.

- Illness (specific details of the illness should be given).
- Medical/dental appointments which unavoidably fall in school time; you may be asked to provide medical evidence before it can be authorised.
- Days of religious observance.
- Exceptional family circumstances e.g., bereavement.
- If permission for the absence has been granted in advance by the Headteacher e.g., authorised participation in a national sporting event.
- Transport arranged by the Local Authority (LA) has failed to arrive where the student lives beyond statutory walking distance.
- A traveller family are travelling for occupational purposes.

**Unauthorised absences** are when the school does not consider the absence as reasonable and for which an unauthorised mark is given. These include instances of parents keeping their child off school unnecessarily, in the view of the school, absences which have never been explained and students who arrive to school after 9.10 am when the registers have closed, and it is too late to give them a mark, or for which no approved leave of absence has been granted. This type of absence can lead to the school referring to the Local Authority for Penalty Notices and/or initiating legal proceedings.

Unauthorised absence includes the following, though this is by no means an exhaustive list:

- Parents/carers keeping children off school unnecessarily, e.g. because they had a late night, or for non-infectious illness or injury that would not affect their ability to learn.
- Absences which have never been properly explained.
- Where the level of the students' absence is a concern and medical evidence has not been provided for ill health.
- Children who arrive at school after the close of registration. This is marked in the register as a "U", which indicates that they are in school for safeguarding purposes, however, it is counted as an absence for the session.
- Shopping trips.
- Having no uniform available.
- Oversleeping.
- Looking after other children or accompanying siblings or parents/carers to medical appointments.
- They own or family birthdays.
- Holidays taken during term time without leave, not deemed "for exceptional purposes" by the Headteacher – may result in the school applying to the Local Authority to issue a Penalty Notice or if the parent/carer has previously been issued with a Penalty Notice, the school may request a direct prosecution by the Local Authority.
- Day trips.
- Missing transport, or where a parent has failed to make transport arrangements for their child.
- Not enjoying a certain subject.
- Other leave of absence in term time which has not been agreed.

## Persistent Absenteeism (PA)

A student is defined by the Government as a '**persistent absentee**' when they miss 10% or more schooling across the school year for any reason; this can be authorised or unauthorised absence. Absence at this level will cause considerable damage to any student's education and we need the full support and co-operation of parents/carers to resolve this. It is important to recognize that students will be deemed as persistently absent by taking just 3 days off in a 6-week term.

## DAY TO DAY PROCESSES

### Absence Procedures

**The name and contact details of the school staff member students and parents/carers should contact about attendance on a day-to-day basis is: Mrs J Jackson, Student Services Manager.**

**If a child is absent from school the parent must follow these procedures:**

- Contact the school on the first day of absence **before 9.30am**, but preferably as early as possible. The school has a 24 hours absence line (01376 559359) where an answer phone is available to leave a message if nobody is available to take your call, a 24 hours text only service (07598 393348), an absences email ([JJackson@alechunter.com](mailto:JJackson@alechunter.com)), or you may call into school personally and speak to the office staff. Please do not email the Tutor or Student Support Leader as they may not see the email until later if they have prior commitments. Consideration will be given to procedures where parents have difficulty with written communication, or where English is not the first language.
- Contact the school on every further day of absence, again **before 9.30am**. **Parents/carers are required to contact the school on every morning their child is going to be absent.**
- Ensure that your child returns to school as soon as possible and you provide any medical evidence, if requested, to support the absence.

**If your child is absent and we have not heard from you we will:**

- Telephone or text you on the first, and every subsequent day of absence. However, it is the parents' responsibility to contact us.
- If we are unable to make contact with parents/carers by telephone, we will telephone emergency contact numbers, send letters home/email and a home visit may be made in the interests of safeguarding.
- A referral will be made to the Local Authority if no contact has been made with parents/carers by the 10<sup>th</sup> day of absence (or sooner if deemed appropriate), at which point your child will be considered to be "absent from education".

**If absence continues, we will:**

- Write and email you if your child's attendance or punctuality is a concern.
- Invite you into school to discuss the situation with our Home School Attendance Officer and Student Support Leader if absences persist.
- Create a personalised action/support plan to address any barriers to attendance.
- Offer signposting support to other agencies or services if appropriate, based on the individual needs of the family.
- Refer the matter to the Local Authority for relevant sanctions if attendance deteriorates following the above actions.

We monitor all absence, and the reasons that are given, thoroughly. Following guidance from the Local Authority, we especially scrutinise absences either side of a school holiday and may request a Penalty Notice to be issued to parents if identify that their child/ren are on holiday and not absent for the reason given. The onus is on the parent/carer to provide evidence to support their reasons for absence in order for us to withdraw an application to the Local Authority to fine.

If a student's attendance has been identified as a cause for concern, the school or Home-School Attendance Officer will explore whether the parents/carers can provide the school with appropriate medical evidence for absences, which may be one of the following:

- Appointment card/letter (for absence of part or a whole day).

- Photocopy of prescription from GP or pharmacy.
- Letter from GP.

The school will consider any advice from healthcare professionals on how we can feasibly support the student in attending school and in more complex cases, and only where there is supporting evidence from a medical professional, we may refer to the Local Authority's Education Access team as a medical referral to get additional support.

Parents are expected to contact the school at an early stage and to work with members of staff, including the Student Support Leaders and the Home-School Attendance Officer in resolving any issues together. If difficulties cannot be worked out in this way and attendance continues to drop due to unauthorised absences, the school may issue an Attendance Information letter, followed by a Penalty Notice/Legal Action Warning Letter and refer the student to the Local Authority (Attendance Compliance). The Local Authority may issue each parent with a Penalty Notice for £120, reduced to £60 if paid within 21 days or referring the matter to the Magistrates Court whereby each parent may receive a fine of up to £2500 and/or up to 3 months in prison. If you are found guilty in court, you will receive a criminal conviction.

### **Monitoring Absence**

The Home-School Attendance Officer will monitor each student's attendance and punctuality very closely. Students with 10% persistent absence (PA) or more will be highlighted and the school will work closely with the Home-School Attendance Officer and parents to ensure actions are put in place so that students are taken out of the PA category.

The Home-School Attendance Officer will hold fortnightly meetings with the Student Support Leaders where information will be shared, and attendance letters will be discussed. The Home-School Attendance Officer and the Student Support Leaders will also agree to invite parents in for a school-based meeting for students in the PA category, or close to falling into this category, prior to issuing a Legal Action Warning Letter or making a referral to the Local Authority (Attendance Compliance). An attendance letter will automatically be sent when a student has attendance that falls below 90%. Only the senior leader overseeing that year group can give authorisation for it not to be sent, but this will only be in exceptional circumstances, such as a student who has a known medical condition that prevents them from attending school as expected. The Headteacher is the only one who can authorise a request for a Penalty Notice to be issued, or legal action to be taken.

### **Long-Term Absence and Returning to School**

Where appropriate, teachers may arrange for work to be sent home during the absence period and this will be organised by the Head of Year. Students who have enforced long periods of absence from school, for whatever reason, need careful handling on their return. A re-integration period may be required, and the Student Support Leader may meet with parents and the student before the student returns to discuss any worries they may have about returning to school. A phased return may be agreed but only with the approval of the Headteacher. The decision regarding which lessons a student should attend as part of a phased return rests with the school.

### **Lateness**

Poor punctuality is not acceptable and can contribute to further absence. Good timekeeping is a vital life skill which will help children as they progress through their school life and out into the wider world.

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

### **The times of the start and close of the school day for all students at Alec Hunter Academy are:**

Student Entrance (front of the school) and Bike Shed Gate (at the side) both open: 8.00 am  
 Start of the school day: 8:40 am  
 Registration closes: 9.10 am  
 End of the school day: 3.10 pm

Students who arrive on site at 8.00am can go to the 'Homework Club' in A2 which is supervised by a member of staff. In addition, from September 2022, there will be a supervised 'Breakfast Club' for invited students, which will be based in the canteen.

### How we manage lateness:

- Students can begin to come into school from **8.00am**.
- The school day starts at **8.40am**.
- Registers are taken by **8.50am** and a student will receive a late mark "L" if they are not in by that time.
- If students arrive between 8.40am and 8.50am, they must enter via the Year 7 playground. After 8.50am they
- must enter via the School's Visitor Reception and report to the receptionist on duty.
- At 9.10am the registers will be closed, in accordance with the Regulations. If a student arrives after that time, they will receive a mark that shows them to be on site (U) but this will not count as a present mark, and it will mean they have an unauthorised absence unless a valid reason is given by a parent.
- The school will contact parents/carers regarding lateness, such as via standard messages or emails and phone calls from Form Tutors, Student Support Leaders and Heads of Year.
- A member of the Leadership Group will be on duty in the Year 7 Playground to greet late arrivals and discuss their reasons for absence.

The table below shows the sanctions which will be imposed on any student who arrives late during one half term.

2 - 5 Times	Lunchtime detention
6 Times	1 hour's detention after school
7,8,9,10 Times	Lunchtime detention
11 Times	An extended Wednesday detention
12,13,14,15 Times	Lunchtime detention
16 Times and above	A meeting with parents arranged

Unauthorised lateness could result in the school referring to the Local Authority for sanctions and/or legal proceedings. If your child has a record of persistent lateness, you will be asked to meet with their Student Support Leader or Head of Year, but you can approach us at any time if you are having difficulties getting your child to school on time. We expect parents/carers and staff to encourage good punctuality by being good role models to our children and celebrating good individual and group punctuality.

### Registration

At Alec Hunter Academy an electronic registration system is used. School staff will complete accurate registers within ten minutes of the beginning of each lesson and tutorial. Morning registration begins at 8.40am each school day and Period 4 is used as afternoon registration, starting at 12.10pm; registers close 30 minutes after these times.

If a student has been marked present earlier in the day but is absent from the lesson and doesn't arrive within the first ten minutes, teachers are expected to refresh their register to check whether the student has been marked as being elsewhere under the supervision of staff (Q code). If this is not the case, staff must alert On Call immediately to investigate where the student may be. On Call staff will check whether students have signed out or are with key staff, such as Student Support Leaders, in the medical room or SDC, or with therapeutic staff. If a student's location cannot be determined, On Call staff will arrange for contact to be made with home and request that the subject teacher refers the student's absence as potential truancy. However, the priority remains ensuring that the child is safe so efforts to locate the child will continue until their whereabouts and security can be established.

### Registration Code

The following symbols are used in registers.

/	<b>Present AM</b>
\	<b>Present PM</b>
B	<b>Off-site educational activity (NOT dual registration)</b>
C	<b>Authorised absence</b>
D	<b>Dual registered at another educational establishment</b>
E	<b>Excluded but no alternative provision made</b>
G	<b>Unauthorised absence – holiday not agreed by school</b>
H	<b>Authorised absence – holiday authorised by school due to exceptional circumstances</b>
I	<b>Authorised absence – illness (not medical/dental appointment)</b>
J	<b>Educational activity – interview</b>



<b>L</b>	<b>Present – late before registers have closed</b>
<b>M</b>	<b>Authorised absence – medical/dental appointment</b>
<b>N</b>	<b>Unauthorised absence – reason for absence not yet provided</b>
<b>O</b>	<b>Unauthorised absence – school have not authorised this absence</b>
<b>P</b>	<b>Educational activity – approved sporting activity</b>
<b>Q</b>	<b>Present – elsewhere in school with another member of staff (who need to include a comment explaining where they are and who with)</b>
<b>R</b>	<b>Authorised religious observance</b>
<b>S</b>	<b>Authorised absence – study leave</b>
<b>T</b>	<b>Authorised absence – agreed Gypsy, Roma and Traveller absence for occupational reasons</b>
<b>U</b>	<b>Unauthorised absence – late after registers have closed</b>
<b>V</b>	<b>Educational activity – approved school trip or visit</b>
<b>W</b>	<b>Educational activity – work experience</b>
<b>X</b>	<b>Not required to be in school – non-compulsory school aged children</b>
<b>Y</b>	<b>Unable to attend due to exceptional circumstances</b>
<b>Z</b>	<b>Student not on admission register</b>
<b>#</b>	<b>Planned whole or partial school closure</b>

Approved Educational Activity is recorded as present. Staff can only register a student as / – present, N – absent or L – late. Staff can only overwrite a code if the student is physically present in their classroom. **Registers are a legal document** and staff need to be aware of their legal responsibility. The Headteacher has legal responsibility for the registers and in the absence of the Headteacher, the Home-School Attendance Officer, or other delegated staff, will be required in a court of law to explain changes to the registration marks.

### **Applying for leave of absence**

If a parent/carer wishes to apply for leave of absence, they must complete an 'Application for leave of absence during term time' form (Annex A) which can be obtained from the school website or from the school office. Supporting evidence must be included as without it the absence will be deemed as unauthorised.

**It is a rule of this school that a leave of absence shall not be granted in term time unless there are reasons considered to be exceptional by the Headteacher, irrespective of the child's overall attendance.** A child cannot 'earn the right' to a term time holiday by having a record of regular attendance. Only the Headteacher or his/her designate (not the Local Authority) may authorise such a request and all applications for a leave of absence must be made in writing on the prescribed form provided by the school. Where a parent removes a child when the application for leave was refused or where no application was made to the school, the issue of a Penalty Notice may be requested by the school in accordance with the Essex Code of Conduct.

A Penalty Notice may be issued where there have been at least 10 consecutive sessions of unauthorised absence for the purpose of a holiday, however, due to the importance of students settling into school at the commencement of the school year, Penalty Notices may also be issued if there have been at least 6 consecutive sessions of unauthorised absence during the first two calendar weeks of September due to a term-time holiday.

### **At Alec Hunter Academy 'exceptional circumstances' will be interpreted as:**

"...being of **unique** and **significant** emotional, educational or spiritual value to the child which outweighs the loss of teaching time (as determined by the Headteacher)". The fundamental principles for defining 'exceptional' are events that are "rare, significant, unavoidable and short". By 'unavoidable' we mean an event that could not reasonably be scheduled at another time, outside of school term time.

### **We will not consider applications for leave during term time:**

- At any time in September. This is very important as your child needs to settle into their new class at the start of the academic year as quickly as possible.
- During assessment and examination periods in the school's calendar affecting your child's year group.
- When a student's attendance record already includes any level of unauthorised absence, or they have already been granted authorised leave within that academic year.

The school will **not** provide work for children to do during their absence, whether it has been authorised or not. However, it is the expectation that students catch-up with work on their return and should make contact with other students in their class or their teacher to find out what they have missed.

### **Understanding barriers to attendance**

Whilst any child may occasionally have time off school because they are too unwell to attend, sometimes they can be reluctant to attend school. Any barriers preventing regular attendance are best resolved between the school, the parents/carers and the child. If a parent/carer thinks their child is reluctant to attend school, then we will work with that family to understand the root cause and provide any necessary support. We can use outside agencies to help with this, such as the School Nurse, Mental Health and Emotional Wellbeing support services, a Child and Family Support Worker or the relevant Local Authority team/s. Where outside agencies are supporting the family, you may be invited to attend a Team Around the Family meeting (TAF) to consider what is working well and what needs to improve. An individualised early help plan may be agreed and subsequently reviewed.

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

**The name and contact details of the school staff member students and parents/carers should contact for more detailed support on attendance (Academic Year 2023/24):**

Year Group	Student Support Leader	Head of Year
7	Mrs K Willing	Mr. A Lee
8	Mrs. L Weaver	Mr. K Spooner
9	Mrs. S Swindale	Ms R Jones
10	Mr. C Johnson	Mr. T Holland
11	Mr. R Clevely	Mr. C Moreno
All	Mrs. S Holmes (Home School Attendance Officer)	

### **Responsibilities for school attendance**

#### **Students**

Students are expected to attend school, on time, every day they are timetabled to do so, and to attend all lessons punctually. They can be expected to be welcomed and receive assistance following periods of absence to catch up.

The tables on the next page are taken from the DfE guidance for September 2022 and give details of other stakeholders' responsibilities.

## All pupils

Parents are expected to:	Schools are expected to:	Academy trustees and governing bodies are expected to:	Local authorities are expected to:
<p>Ensure their child attends every day the school is open except when a statutory reason applies.</p> <p>Notify the school as soon as possible when their child has to be unexpectedly absent (e.g. sickness).</p> <p>Only request leave of absence in exceptional circumstances and do so in advance.</p> <p>Book any medical appointments around the school day where possible.</p>	<p>Have a clear school attendance policy on the school website which all staff, pupils and parents understand.</p> <p>Develop and maintain a whole school culture that promotes the benefits of good attendance.</p> <p>Accurately complete admission and attendance registers.</p> <p>Have robust daily processes to follow up absence.</p> <p>Have a dedicated senior leader with overall responsibility for championing and improving attendance.</p>	<p>Take an active role in attendance improvement, support their school(s) to prioritise attendance, and work together with leaders to set whole school cultures.</p> <p>Ensure school leaders fulfil expectations and statutory duties.</p> <p>Ensure school staff receive training on attendance.</p>	<p>Have a strategic approach to improving attendance for the whole area and make it a key focus of all frontline council services.</p> <p>Have a School Attendance Support Team that works with all schools in their area to remove area-wide barriers to attendance.</p> <p>Provide each school with a named point of contact in the School Attendance Support Team who can support with queries and advice.</p> <p>Offer opportunities for all schools in the area to share effective practice.</p>

## Pupils at risk of becoming persistently absent

Parents are expected to:	Schools are expected to:	Academy trustees and governing bodies are expected to:	Local authorities are expected to:
<p>Work with the school and local authority to help them understand their child's barriers to attendance.</p> <p>Proactively engage with the support offered to prevent the need for more formal support.</p>	<p>Proactively use data to identify pupils at risk of poor attendance.</p> <p>Work with each identified pupil and their parents to understand and address the reasons for absence, including any in-school barriers to attendance.</p> <p>Where out of school barriers are identified, signpost and support access to any required services in the first instance.</p> <p>If the issue persists, take an active part in the multi-agency effort with the local authority and other partners. Act as the lead practitioner where all partners agree that the school is the best placed lead service. Where the lead practitioner is outside of the school, continue to work with the local authority and partners.</p>	<p>Regularly review attendance data and help school leaders focus support on the pupils who need it.</p>	<p>Hold a termly conversation with every school to identify, discuss and signpost or provide access to services for pupils who are persistently or severely absent or at risk of becoming so.</p> <p>Where there are out of school barriers, provide each identified pupil and their family with access to services they need in the first instance.</p> <p>If the issue persists, facilitate a voluntary early help assessment where appropriate. Take an active part in the multi-agency effort with the school and other partners. Provide the lead practitioner where all partners agree that a local authority service is best placed to lead. Where the lead practitioner is outside of the local authority, continue to work with the school and partners.</p>

## Persistently absent pupils

Parents are expected to:	Schools are expected to:	Academy trustees and governing bodies are expected to:	Local authorities are expected to:
<p>Work with the school and local authority to help them understand their child's barriers to attendance.</p> <p>Proactively engage with the formal support offered – including any parenting contract or voluntary early help plan to prevent the need for legal intervention.</p>	<p>Continued support as for pupils at risk of becoming persistently absent and:</p> <p>Where absence becomes persistent, put additional targeted support in place to remove any barriers. Where necessary this includes working with partners.</p> <p>Where there is a lack of engagement, hold more formal conversations with parents and be clear about the potential need for legal intervention in future.</p> <p>Where support is not working, being engaged with or appropriate, work with the local authority on legal intervention.</p> <p>Where there are safeguarding concerns, intensify support through statutory children's social care.</p> <p>Work with other schools in the local area, such as schools previously attended and the schools of any siblings.</p>	<p>Regularly review attendance data and help school leaders focus support on the pupils who need it.</p>	<p>Continued support as for pupils at risk of becoming persistently absent and:</p> <p>Work jointly with the school to provide formal support options including parenting contracts and education supervision orders.</p> <p>Where there are safeguarding concerns, ensure joint working between the school, children's social care services and other statutory safeguarding partners.</p> <p>Where support is not working, being engaged with or appropriate, enforce attendance through legal intervention (including prosecution as a last resort).</p>

## Severely absent pupils

Parents are expected to:	Schools are expected to:	Academy trustees and governing bodies are expected to:	Local authorities are expected to:
<p>Work with the school and local authority to help them understand their child's barriers to attendance.</p> <p>Proactively engage with the formal support offered – including any parenting contract or voluntary early help plan to prevent the need for legal intervention.</p>	<p>Continued support as for persistently absent pupils and:</p> <p>Agree a joint approach for all severely absent pupils with the local authority.</p>	<p>Regularly review attendance data and help school leaders focus support on the pupils who need it.</p>	<p>Continued support as for persistently absent pupils and:</p> <p>All services should make this group the top priority for support. This may include a whole family plan, consideration for an education, health and care plan, or alternative form of educational provision.</p> <p>Be especially conscious of any potential safeguarding issues, ensuring joint working between the school, children's social care services and other statutory safeguarding partners. Where appropriate, this could include conducting a full children's social care assessment and building attendance into children in need and child protection plans.</p>

## Support for pupils with medical conditions or SEND with poor attendance

Parents are expected to:	Schools are expected to:	Academy trustees and governing bodies are expected to:	Local authorities are expected to:
<p>Work with the school and local authority to help them understand their child's barriers to attendance.</p> <p>Proactively engage with the support offered.</p>	<p>Maintain the same ambition for attendance and work with pupils and parents to maximise attendance.</p> <p>Ensure join up with pastoral support and where required, put in place additional support and adjustments, such as an individual healthcare plan and if applicable, ensuring the provision outlined in the pupil's EHCP is accessed.</p> <p>Consider additional support from wider services and external partners, making timely referrals.</p> <p>Regularly monitor data for such groups, including at board and governing body meetings and with local authorities.</p>	<p>Regularly review attendance data and help school leaders focus support on the pupils who need it.</p>	<p>Work closely with relevant services and partners, for example special educational needs, educational psychologists, and mental health services, to ensure joined up support for families.</p> <p>Ensure suitable education, such as alternative provision, is arranged for children of compulsory school age who because of health reasons would not otherwise receive a suitable education.</p>

## Support for pupils with a social worker

Parents are expected to:	Schools are expected to:	Academy trustees and governing bodies are expected to:	Local authorities are expected to:
<p>Work with the school and local authority to help them understand their child's barriers to attendance.</p> <p>Proactively engage with the support offered.</p>	<p>Inform the pupil's social worker if there are any unexplained absences and if their name is to be deleted from the register.</p>	<p>Regularly review attendance data and help school leaders focus support on the pupils who need it.</p>	<p>Regularly monitor the attendance of children with a social worker in their area.</p> <p>Put in place personal education plans for looked-after children.</p> <p>Secure regular attendance of looked-after children as their corporate parent and provide advice and guidance about the importance of attendance to those services supporting pupils previously looked after.</p>

### Local Authority attendance support services

Local Authority Attendance Specialists work strategically by offering support to schools, families, and other professionals to reduce persistent absence and improve overall attendance.

Parents/carers are expected to work with the school and Local Authority to address any attendance concerns. Parents/carers should proactively engage with the support offered, aiming to resolve any problems together. This is nearly always successful. If difficulties cannot be resolved in this way, the school may consider more formal support and/or refer the child to the Local Authority. If attendance does not improve, legal action may be taken in the form of a Penalty Notice (see Annex B for the Essex Code of Conduct), prosecution in the Magistrates Court or the application of an Education Supervision Order, designed to strengthen parental responsibilities and ensure improved attendance.

### Maintaining the School Roll including Deletions

It is crucial that parents/carers keep school updated with current addresses and contact details for key family members in case of emergency.



For any student leaving Alec Hunter Academy other than at the end of Year 11, parents/carers are required to complete a 'students moving from school' form which can be obtained from the school office. This provides school with the following information: child's name, class, current address, date of leaving, new home address, name of new school, address of new school. This information is essential to ensure that we know the whereabouts and appropriately safeguard all our students, even those who leave us.

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

The member of staff responsible for maintaining the school roll, both additions and deletions, is Mrs J Jackson.

### Home educated children

On receipt of written notification to home educate, schools must inform the pupil's local authority that the pupil is to be deleted from the admission register. Schools should not seek to persuade parents to educate their children at home as a way of avoiding excluding the pupil or because the pupil has a poor attendance record. Schools and local authorities should not seek to prevent parents from educating their children outside the school system. There is no requirement for parents to obtain the school or local authority's agreement to educate their child at home. Parents have a duty to ensure their child of compulsory school age receives suitable full-time education, but this does not have to be at a school.

## Data, Monitoring and Intervention

### Absence data

We use data to monitor, identify and support individual students or groups of students when their attendance needs to improve. We monitor identified groups of students using historical data and the context of the school population. Persistently absent students are tracked and monitored carefully. We also combine this with academic tracking as increased absence affects attainment. We also use data to check the impact of strategies we are using and make adjustments where necessary.

We use pupil premium funding to promote and incentivise good attendance for disadvantaged students and this is overseen by Mr A Booth, Assistant Headteacher. When the attendance of students with other specific needs are identified as a cause for concern, such as SEN, LAC or those with a social worker, key staff in the school who regularly work with them will be involved in the plan to remove barriers to their attendance.

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

### Summary

The school has a legal duty to publish its absence figures to parents/carers and to promote attendance. Equally, parents/carers have a duty to make sure that their children attend school, on time, every day.

*All school staff and the Governing Body are committed to working with parents/carers and students as this is the best way to ensure as high a level of attendance at our school as possible.*

<b>0 - 4 DAYS ABSENT</b>	98 – 100%	Form Tutors	<b>Actions for all students</b> <ul style="list-style-type: none"> <li>• Warm welcome</li> <li>• Praise for good attendance or improvements</li> <li>• Regular messages to promote reasons why good punctuality and attendance are important (achievements/references/life chances)</li> <li>• Request notes for unexplained absences</li> <li>• Report patterns of absence and other concerns to SSL/HoY</li> <li>• Talk with students in yellow and red categories to offer motivation and explore reasons</li> </ul>
<b>5 – 8 DAYS ABSENT</b>	96 – 97%		

		Admin	<ul style="list-style-type: none"> <li>Daily notifications sent home for students who are late to school</li> <li>Weekly 'well done' attendance messages home for those with 100% and above 96%</li> <li>Weekly attendance information sent out to ALL staff</li> <li>Half termly attendance update letters sent to all parents/carers</li> </ul>
<b>9 – 12 DAYS ABSENT</b>	94 – 95%	Student Support Leader  Admin	<b>Additional actions</b> <ul style="list-style-type: none"> <li>Tutor, SSL, student and family develop attendance plan</li> <li>Fortnightly check-ins with SSL</li> <li>Positive letter sent if attendance has improved and moved to green</li> <li>If falls below 95%, 'at risk of PA' letter sent</li> </ul>
<b>13 – 16 DAYS ABSENT</b>	92 – 93%	Student Support Leader/Head of Year  Home-School Attendance Officer	<b>Additional actions</b> <ul style="list-style-type: none"> <li>SSL, HoY, student, and family develop 'at risk of PA' plan</li> <li>Fortnightly check-ins with SSL</li> <li>Positive letter sent if attendance has improved and moved to yellow/green</li> <li>If 92%, attendance letter sent; only LG link can ask for letter to be deferred</li> <li>Home visits with SSL</li> </ul>
<b>17 – 19 DAYS ABSENT</b>	90 – 91%	Student Support Leader/Head of Year  Home-School Attendance Officer	<b>Additional actions</b> <ul style="list-style-type: none"> <li>SSL, HoY, student, and family develop PA plan</li> <li>Fortnightly check-ins with SSL</li> <li>Positive letter sent if attendance has improved and moved to yellow/green</li> <li>If 90%, attendance letter sent; only LG link can ask for letter to be deferred</li> <li>Home visits with SSL</li> </ul>
<b>MORE THAN 19 DAYS ABSENT</b>	Under 90%	Student Support Leader/Home-School Attendance Officer	<b>Additional actions</b> <ul style="list-style-type: none"> <li>SSL/HSOA organise meeting with student/parent/carer and complete action plan</li> <li>If family don't attend, send 'failed meeting' letter and phone home to complete action plan</li> <li>Refer to Local Authority if attendance doesn't improve, especially if family are not engaging with the school.</li> </ul>

**Annex A**  
**ALEC HUNTER ACADEMY**  
**APPLICATION FOR LEAVE OF ABSENCE DURING TERM TIME**

Taking your child out of school during term time could be detrimental to their educational progress. Parents **do not** have the legal right to take their child on holiday during term time. The school can only agree to absence for a family holiday if they believe there are exceptional circumstances which warrant it, therefore parents must apply for leave of absence in advance before booking it.

If the absence is not authorised and the holiday taken, the case will be referred to the Attendance Compliance Team (formerly MECES) who may issue a Penalty Notice for £120 (or £60 if paid within 21 days) to **each parent for each child** taken out of school.

Please attach a letter outlining the special or exceptional circumstance for which a term time holiday is being applied for. If this is not provided, the school will be unable to authorise the request.

NAME OF CHILD (Please fill out a separate form(s) for any other siblings)	
DATE OF BIRTH	
TUTOR GROUP	
DATE OF FIRST DAY OF ABSENCE	
DATE OF RETURN TO SCHOOL	
NUMBER OF DAYS REQUESTED	
GUIDANCE FROM LOCAL AUTHORITY READ (The guidance can be found overleaf)	YES NO
LETTER OUTLINING SPECIAL/EXCEPTIONAL CIRCUMSTANCE ATTACHED	YES NO

SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_

NAME: \_\_\_\_\_

CONTACT No: \_\_\_\_\_

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**FOR OFFICE USE ONLY**

Attendance % preceding 12 weeks	
Authorised sessions this academic year	
Unauthorised sessions this academic year	
Total number of sessions absence this academic year	

**SIGNED**

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**DATED**

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**HOLIDAY APPROVED      YES  
NO****Reasons for refusal****HOME-SCHOOL ATTENDANCE OFFICER TO FINE      YES/NO****REASON:**

## INSTRUCTIONS TO ESSEX SCHOOLS ON PUPIL HOLIDAYS IN TERM TIME ISSUED BY THE LOCAL AUTHORITY

**It is important that schools discourage parents from removing their children from education for any reason as absences may have a negative impact on the pupil's educational attainment and progress. A pupil who takes ten days absence will only attain 94.7% attendance in the year. Ten days absence also means the pupil will miss 50 hours of education.**

Parents should not take their children on holiday during term time and must apply for leave of absence in advance of taking it. The responsibility for authorising requests for term time holidays lies with the school. Each request for leave of absence should be considered individually, taking account of the age of the child, the pupil's overall attendance pattern – is attendance below 90% during the preceding twelve weeks; the pupil's stage of education and progress, time of the year of the proposed trip – does it coincide with tests or examinations? Is it at the start of the academic year? Is it attached to a school holiday? Is it the second holiday taken in any one academic year; or is the pupil in Year 11? Schools can only agree to absence for a family holiday if they believe there are exceptional circumstances which warrant it.

The Local Authority recommends that schools requests parents submit a letter along with their application to state the exceptional circumstances in which they are applying for a holiday during term time.

If parents do not apply for leave of absence in advance of taking it, the absence should be recorded as unauthorised. If parents keep a child away for longer than was agreed, any extra time is recorded as unauthorised. If a holiday is refused and the parent contacts the school to inform the pupil is unable to attend school due to illness, the absence should be recorded as unauthorised unless medical evidence is supplied by the parent.

It is expected where a school has not agreed to authorise the absence for a term time holiday there will have been written contact with the family to ensure they are fully aware of the reason(s) why it has not been agreed and that parents are aware of the possibility of a penalty notice being issued which could lead to prosecution for non-attendance if they fail to pay. This information must be included in school literature, such as the home school agreement, the school prospectus, leave of absence request forms, newsletters, attendance policies and web sites.

The Local Authority expects schools to apply for a penalty notice following an unauthorised term time holiday within two weeks after the pupil's return to school following the unauthorised holiday. It is the Attendance Compliance Team's Legal Intervention Panel who will make the decision on whether to issue a penalty notice based on the evidence supplied by the school. The penalty for each parent is £60 for each child if paid within 21 days of receipt of the notice, rising to £120 if paid after 21 days but within 28 days of receipt of the notice. If the penalty is not paid in full by the end of the 28-day period, the Attendance Compliance Team will either prosecute for the offence to which the notice applies or withdraw the notice. The prosecution is not for non-payment of the notice, but it is prosecution for irregular school attendance (Education Action 1996 Section 444 (1)). There is no statutory right of appeal against the issue of a penalty notice.

There is no statutory right of appeal against the issuing of a penalty notice.

A penalty notice may be withdrawn by the local authority named in the notice under the following circumstances:

- Where the local authority deems it ought not to have been issued i.e. where it has been issued outside the terms of the local code of conduct or where the evidence does not support the issuing of a penalty notice
- It appears to the local authority that the notice contains material errors
- Where it has been issued to the wrong person named as the recipient.

## Annex B

### ESSEX CODE OF CONDUCT PENALTY NOTICES FOR PARENTS/CARERS OF TRUANTS AND PARENTS/CARERS OF STUDENTS EXCLUDED FROM SCHOOL ANTI-SOCIAL BEHAVIOUR ACT 2003 SECTION 23

The purpose of this local Code of Conduct is to ensure that the powers are applied consistently and fairly across the Local Authority area to all Essex residents.

The Government requires Local Authorities to issue a code of conduct and any persons issuing Penalty Notices to a parent<sup>1</sup> must do so in accordance with this protocol. Essex County Council is legislatively responsible for administering the Penalty Notice scheme and will do so in accordance with a number of legislative and non-legislative requirements.

The Essex code has been agreed following consultation with:

- Essex County Council representatives – Attendance Compliance Team and Essex Legal Services.
- Representatives from Governing Bodies and Headteachers of Essex Schools
- Essex Police
- Persons accredited under Essex Police's Community Safety Accreditation Scheme (CSAS)

The Code of Conduct is in accordance with the following legislation.

#### LEGISLATIVE FRAMEWORK FOR EDUCATION PENALTY NOTICES

The legal framework governing school attendance and the responsibilities of parents/carers of excluded students, schools and the LA is set out in a succession of acts, regulations and other guidance.

#### Education Act 1996

Under Section 7 of the Act: the parent is responsible for making sure that their child of compulsory school age receives efficient full-time education that is suitable to the child's age, ability and aptitude and to any special educational needs that the child may have, this can be by regular attendance at school, or otherwise (the parent can choose to educate their child themselves). If it appears to the LA that a child of compulsory school age is not receiving a suitable education, either by regular attendance at school or otherwise then they must begin procedures for issuing a School Attendance Order under Section 437 of the Education Act 1996.

If a child of compulsory school age who is registered at a school fails to attend the school regularly the parent is guilty of an offence under Section 444(1) of the Education Act 1996. In addition, if it can be proved that a parent knew of the child's non-attendance and failed to act, then they may be found guilty under Section 444(1 A). This offence (known as the higher or aggravated offence) can lead to a warrant being issued compelling a parent to attend court and conviction may result in a higher level fine and/or a custodial sentence.

On 6th April 2017, in the case of *Isle of Wight Council v Platt* [2017] UKSC 28, the Supreme Court ruled that the word 'regularly' means 'in accordance with the rules prescribed by the school.'

#### Anti-social Behaviour Act 2003

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

<sup>1</sup> All those defined as a parent under Section 576 Education Act 1996 are parents/carers for the purpose of these provisions. This means that all natural parents/carers, whether they are married or not; any person who, although not a natural parent, has parental responsibility (as defined in the Children Act 1989) for a child or young person; and any person who, although not a natural parent, has care of a child or young person. Having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law. Parent means each and every parent coming within the definition (whether acting jointly or separately) and should not be taken to mean that provisions only apply to parent in the singular. As with prosecutions under Section 444 Education Act 1996 a penalty notice may be issued to each parent liable for the offence.

The Act added two new sections (444A and 444B) to the Education Act. It introduced penalty notices as an alternative to prosecution under Section 444; the issuing of penalty notices is governed by:

- The Education (Penalty Notices) (England) Regulations 2007
- The Education (Penalty Notices) (England) (Amendment) 2013

<http://www.legislation.gov.uk/uksi/2013/757/contents/made>

### **Children Act 1989**

<http://www.legislation.gov.uk/ukpga/1989/41/section/36>

### **Crime and Disorder Act 1998**

<https://www.legislation.gov.uk/ukpga/1998/37/section/16>

### **Education and Inspections Act 2006**

<http://www.legislation.gov.uk/ukpga/2006/40/contents>

### **The Education (Student Registration) (England) Regulations 2006 (Amended 2013)**

<http://www.legislation.gov.uk/uksi/2013/756/regulation/2/made>

## **AUTHORISATION TO ISSUE PENALTY NOTICES**

Primary responsibility for issuing penalty notices rests with the Local Authority (LA). It has been agreed that the Attendance Compliance Team, on behalf of Essex LA, will usually issue penalty notices. The service will administer the scheme from any funds obtained as a result of issuing penalty notices.

Headteachers (and Deputy Headteachers and Assistant Headteachers authorised by the Headteacher) and police, and persons accredited by the community safety accreditation scheme are all able to issue the notices under the Act, although there is no requirement for them to do so.

In Essex it has been agreed that the Police and Headteachers will not issue penalty notices to parents/carers. Persons accredited through the Community Safety Accreditation Scheme<sup>2</sup> are authorised to do so.

## **CIRCUMSTANCES IN WHICH A PENALTY NOTICE MAY BE ISSUED**

Penalty Notices apply to students of statutory school age, which commences the term immediately following the child's 5<sup>th</sup> birthday and finishes on the last Friday in June of school year in which they turn 16.

Penalty notices will only be issued as a conclusion to a series of processes and when all attempts to address school attendance matters have been unsuccessful. If a previous Penalty Notice has been unsuccessful, rationale and justification should be provided as to why issuing another Penalty Notice would improve the attendance of the student. If schools are not aware of any previous or current legal interventions, they must email [attendancecompliance@essex.gov.uk](mailto:attendancecompliance@essex.gov.uk). A response will be sent within three working days. Parents/carers cannot be penalised more than once for the same period of absence.

Domestic and European legislation and case law makes it clear that when serving a formal Notice in criminal proceedings, the recipient must be clearly and unambiguously identified. For the Purpose of issuing a Penalty Notice under this Code, the parent's first and last name must be cited on the Notice and any covering letter. Essex Partners have agreed to use Penalty Notices for the following circumstances however the offence under S444 Education Act 1996 is the same whether issues for unauthorised leave of absence (ULA) or irregular school attendance (ISA):

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<sup>2</sup> Accredited companies at time of this publication are Attendance Solutions Essex, Aquinas School Attendance Provisions and NEMAT Support Services

### **Penalty notices for unauthorised leave of absence (ULA)**

Penalty Notices may be issued where there have been at least ten consecutive sessions of unauthorised absence for the purpose of a holiday, whereby a parent made an application to the School which the Headteacher has deemed not for exceptional circumstances. In addition, a Penalty Notice may also be issued, whereby the parent did not submit a leave of absence request, however the school have reason to believe the absence was for the purpose of a holiday and should not be authorised as parent has not provided any additional evidence which the Headteacher deems appropriate to support the absence.

In addition to the above criteria, due to the importance of students settling into school at the commencement of the school year, Penalty Notices may also be issued if there have been at least six consecutive sessions of unauthorised absence during the first two weeks of September due to a term-time holiday.

The Local Authority requests that for Penalty Notices to be issued, parents/carers must be duly warned of the legal ramifications under separate cover if they remove their child from school for the purpose of a holiday.

Schools/Academies must reference the use of Penalty Notices within their Attendance Policy which must be available to all parents/carers online and/or in hard copy within the school, accessible to parents/carers to read. Schools should remind parents/carers of the protocol regarding leave of absence during term time.

### **Penalty Notices for Irregular School Attendance (ISA)**

Penalty Notices may be issued where there has been at least ten sessions of unauthorised absence during the previous ten school weeks.

Parents/carers must have been issued with a Legal Action Warning Letter with accompanying Legal fact sheet and given opportunities to inform the school of any factors impacting on their ability to ensure their child attends school regularly. Warning letters are valid for eighteen calendar weeks.

The Local Authority advises that the following template is used for irregular school attendance referrals as this has been specifically designed to enable the progression of cases if appropriate. This letter must be on headed paper from the school or accredited persons issuing the notice. The legal fact sheet must be included

[https://schools.essex.gov.uk/students/Attendance\\_Compliance/Documents/Legal%20Action%20Warning%20Letter%20for%20schools.docx](https://schools.essex.gov.uk/students/Attendance_Compliance/Documents/Legal%20Action%20Warning%20Letter%20for%20schools.docx) .

Failure to adequately issue warning to parents/carers may result in the Penalty Notice being withdrawn or not issued.

All penalty notice referrals or notifications from Accredited Persons must be sent via Essex County Council's online portal and all relevant pre-referral work in accordance with the Local Authority requirements must be uploaded alongside the referral/notification.

The Local Authority must be satisfied that the substantive offence in accordance with Section 444 of the Education Act 1996 has been committed prior to issuing a Penalty Notice.

Evidence of attempts to address attendance concerns within the previous eight weeks prior to requesting or notifying of a Penalty Notice must be submitted. Satisfactory evidence includes letters, notes of home visits, meetings, telephone calls etc.

*N.B. for ULA and ISA PN's consideration should always be given to whether it is appropriate to issue to absent parents/carers.*

### **Number of Penalty Notices which can be issued for irregular school attendance/unauthorised leave of absence**

Discretion will be used to enable up to two penalty notices to be issued to each parent for each child within a twelve-month period. If the law continues to be broken around school attendance the Attendance Compliance Team may instigate legal proceedings.

### **Number of Penalty Notices which can be issued for students identified during a school attendance and exclusion sweep**

School attendance and exclusion sweeps take place in Essex and children stopped are often with parents/carers condoning the absence.

If the Head Teacher has not authorised the absence of a student stopped by a Local Authority Officer and Police Officer on a sweep, and there has been at least nine unauthorised absences for that student during the preceding ten school weeks, the school will issue a legal action warning letter to the parent within 14 days. If there are any further unauthorised absences, during the following eighteen calendar weeks, a referral to the Attendance Compliance Team may be submitted for a Penalty Notice to be issued.

Essex will issue no more than two penalty notices to a parent in a twelve-month period for students identified on a school attendance and exclusion sweep. If the law continues to be broken around school attendance the Attendance Compliance Team will instigate legal proceedings.

### **Excluded children**

When a child is excluded from school, the parent will be responsible for ensuring that their child is not found in a public place during normal school hours on the first five days of each and every fixed period or permanent exclusion (Section 103 Education and Inspections Act).

The excluding school must have notified the parent informing them of their duty and warning that a penalty notice could be issued.

Where there is more than one person liable for the offence, a separate penalty notice may be issued to each person.

Where a student is present in a public place in the first five days of a fixed period exclusion the Essex Local Authority would issue a penalty notice if the school is in their area. Where the child has been permanently excluded, it would be the authority where the child resides.

### **Number of penalty notices which can be issued for exclusion**

Essex will issue a maximum of two penalty notices per parent for each child during a twelve-month period.

### **Number of penalty notices which can be issued for unauthorised leave of absence**

Essex will issue no more than two penalty notices to a parent in a twelve-month period for unauthorised leave of absence. If the law continues to be broken around school attendance, the Attendance Compliance Team will consider further legal interventions.

## **PAYMENT OF PENALTY NOTICE**

The penalty for each parent issued with a Penalty Notice is £120 for each child, however if paid within 21 days of receipt of the notice, it is reduced to £60. Service by post is deemed to have been effected, unless the contrary is proved, on the second working day after posting the notice by first class post.

All penalties are paid to the LA and revenue generated is retained to administer the system and contribute towards 5444 prosecutions following the non-payment of the Penalty Notice.

If the penalty is not paid in full by the end of the 28-day period, the Attendance Compliance Team will either prosecute for the offence to which the notice applies or withdraw the notice. The prosecution is not for non-payment of the notice but is a prosecution for irregular school attendance (Education Act 1996, Section 4441).

There is no statutory right of appeal against the issuing of a penalty notice.

## **WITHDRAWAL OF PENALTY NOTICE**

A penalty notice may be withdrawn by the local authority named in the notice under the following circumstances:

- Where the local authority deems it ought not to have been issued i.e. where it has been issued outside the terms of the local code of conduct or where the evidence does not support the issuing of a penalty notice

- It appears to the local authority that the notice contains material errors
- Where it has been issued to the wrong person named as the recipient.

#### CO-ORDINATION BETWEEN THE LOCAL AUTHORITY AND ITS LOCAL PARTNERS

The Attendance Compliance Team and its local partners will review this Code of Conduct bi-annually unless local needs require otherwise.

#### VERSIONS

Original Code of Conduct was introduced in September 2004.

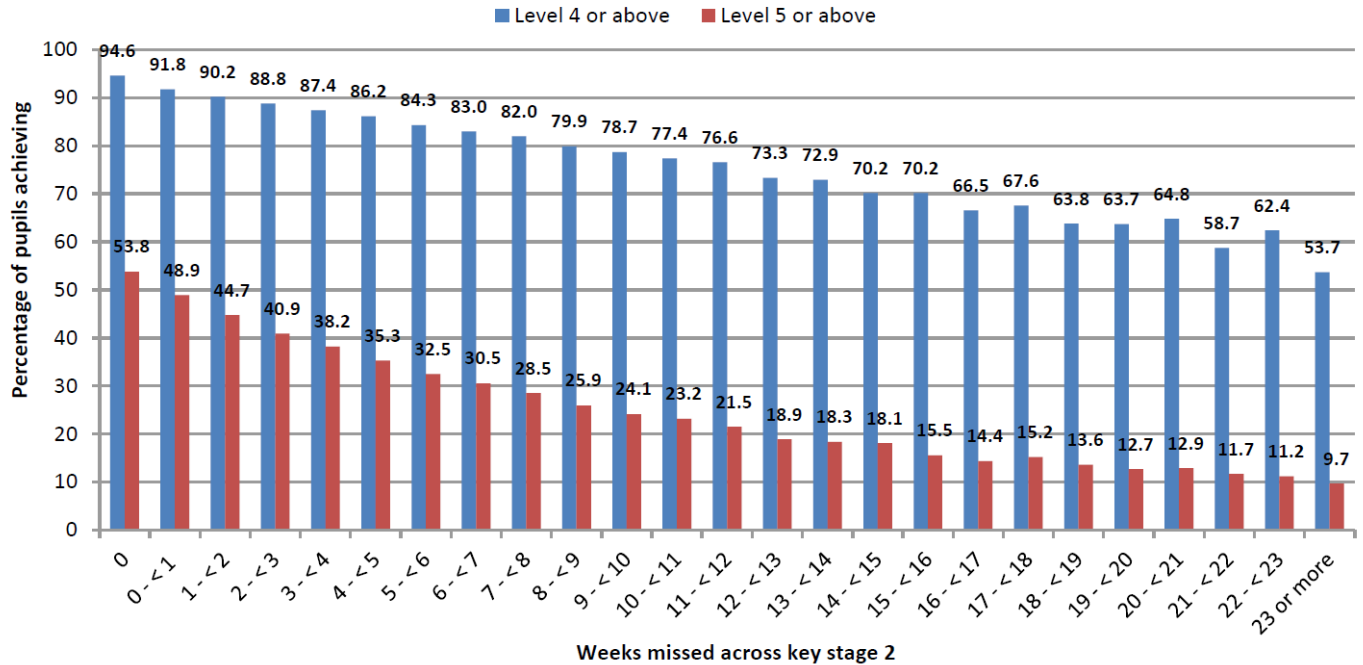
Most recent revision - November 2017

Revised March 2019 for implementation from April 2019

## Annex C

DfE "The link between absence and attainment at KS2 - 2013/14 academic year"

The analysis of the link between overall absence and attainment when taking prior attainment and student characteristics into account showed that, for each KS2 and KS4 measure, overall absence had a statistically significant negative link to attainment – i.e., every extra day missed was associated with a lower attainment outcome.







The name and contact details of the senior leader responsible for the strategic approach to attendance in our school is: A Booth , Assistant Headteacher.

The name and contact details of the school staff member students and parents/carers should contact about attendance on a day-to-day basis is: Mrs J Jackson, Student Services Manager.

If a child is absent from school the parent must follow these procedures:

- Contact the school on the first day of absence **before 9.30am**, but preferably as early as possible. The school has a 24 hours absence line (01376 559359) where an answer phone is available to leave a message if nobody is available to take your call, a 24 hours text only service (07598 393348), an absences email ([JJackson@alechunter.com](mailto:JJackson@alechunter.com)), or you may call into school personally and speak to the office staff. Please do not email the Tutor or Student Support Leader as they may not see the email until later if they have prior commitments. Consideration will be given to procedures where parents have difficulty with written communication, or where English is not the first language.
- Contact the school on every further day of absence, again **before 9.30am**. **Parents/carers are required to contact the school on every morning their child is going to be absent.**
- Ensure that your child returns to school as soon as possible and you provide any medical evidence, if requested, to support the absence.

**Every half-day absence from school must be classified by the school (not by the parent), as either authorised or unauthorised.**

We monitor all absence, and the reasons that are given, thoroughly. Following guidance from the Local Authority, we especially scrutinise absences either side of a school holiday and can fine parents if we are given information that their child/ren are on holiday and not absent for the reason given. The onus is on the parent/carer to provide evidence to support their reasons in order for us to withdraw an application to the Local Authority to fine.

The name and contact details of the school staff member students and parents/carers should contact for more detailed support on attendance:

Year Group	Student Support Leader	Head of Year
7	Mrs K Willing	Mr. A Lee
8	Mrs. L Weaver	Mr. K Spooner
9	Mrs. S Swindale	Ms R Jones
10	Mr. C Johnson	Mr. T Holland
11	Mr. R Cleevely	Mr. C Moreno
All	Mrs. S Holmes (Home School Liaison Officer)	

<b>0 - 4 DAYS ABSENT</b>	98 – 100%	Form Tutors	<b>Actions for all students</b> <ul style="list-style-type: none"> <li>Warm welcome</li> <li>Praise for good attendance or improvements</li> <li>Regular messages to promote reasons why good punctuality and attendance are important (achievements/references/life chances)</li> <li>Request notes for unexplained absences</li> <li>Report patterns of absence and other concerns to SSL/HoY</li> <li>Talk with students in yellow and red categories to offer motivation and explore reasons</li> <li>Daily notifications sent home for students who are late to school</li> <li>Weekly 'well done' attendance messages home for those with 100% and above 96%</li> <li>Weekly attendance information sent out to ALL staff</li> <li>Half termly attendance update letters sent to all parents/carers</li> </ul>
<b>5 – 8 DAYS ABSENT</b>	96 – 97%	Admin	
<b>9 – 12 DAYS ABSENT</b>	94 – 95%	Student Support Leader  Admin	<b>Additional actions</b> <ul style="list-style-type: none"> <li>Tutor, SSL, student and family develop attendance plan</li> <li>Fortnightly check-ins with SSL</li> <li>Positive letter sent if attendance has improved and moved to green</li> <li>If falls below 95%, 'at risk of PA' letter sent</li> </ul>
<b>13 – 16 DAYS ABSENT</b>	92 – 93%	Student Support Leader/Head of Year  Home-School Attendance Officer	<b>Additional actions</b> <ul style="list-style-type: none"> <li>SSL, HoY, student, and family develop 'at risk of PA' plan</li> <li>Fortnightly check-ins with SSL</li> <li>Positive letter sent if attendance has improved and moved to yellow/green</li> <li>If 92%, attendance letter sent; only LG link can ask for letter to be deferred</li> <li>Home visits with SSL</li> </ul>
<b>17 – 19 DAYS ABSENT</b>	90 – 91%	Student Support Leader/Head of Year  Home-School Attendance Officer	<b>Additional actions</b> <ul style="list-style-type: none"> <li>SSL, HoY, student, and family develop PA plan</li> <li>Fortnightly check-ins with SSL</li> <li>Positive letter sent if attendance has improved and moved to yellow/green</li> <li>If 90%, attendance letter sent; only LG link can ask for letter to be deferred</li> <li>Home visits with SSL</li> </ul>
<b>MORE THAN 19 DAYS ABSENT</b>	Under 90%	Student Support Leader/Home-School Attendance Officer	<b>Additional actions</b> <ul style="list-style-type: none"> <li>SSL/HSAO organise meeting with student/parent/carer and complete action plan</li> <li>If family don't attend, send 'failed meeting' letter and phone home to complete action plan</li> <li>Refer to Local Authority if attendance doesn't improve, especially if family are not engaging with the school.</li> </ul>