


Lakeside Primary School



Attendance Policy

Policy Status and Review

Date:	August 2024
Review Date:	August 2025
Signed by Chair of Governors:	
Date Signed:	19th August 2024

The Mercia Primary Academy Trust follows all DFE and Local Authority advice regarding Attendance and any information from them runs in concurrence with the below.

The schools in Mercia Primary Academy trust set a minimum attendance target of 97%

This policy aims to raise the profile of attendance by encouraging and promoting a positive attitude in order that all children can achieve a good rate of attendance throughout their time at school. Promoting positive behaviour and excellent attendance is the responsibility of the whole school community. The school will promote positive behaviour and good attendance through its use of curriculum and learning materials. Good attendance and behaviour by pupils will be recognised appropriately.

All children should be at school, on time, every day the school is open. Children are sometimes reluctant to attend school. Any problems that arise with attendance are best resolved between the school, the parents/carers and the child. If a child is reluctant to attend, it is never better to cover up their absence or to give in to pressure to excuse them from attending. This gives the impression that attendance does not matter and may make things worse. Permitting absence from school without a good reason is an offence by the parent/carer.

The attendance and behaviour policy must include procedural referral agreements that are designed to promote and safeguard the welfare of pupils. **Schools have a duty in law to refer any absence of 10 sessions (5 days) or more over a 10-week period where they have been unable to make contact with the parent/carer, their child or have general concerns about the absence.** Schools will refer to the Education Welfare Service and you may receive a notice to improve letter, a penalty warning notice and also potentially a fine if the attendance concern continues.

Schools are required to take an attendance register twice a day, and this shows whether the pupil is present, engaged in an approved educational activity off-site, or absent. Only school can authorise the absence, not the parent/carer. This is why information about the cause of each absence is always required. Authorised absences are mornings or afternoons away from school for a good reason like illness or other unavoidable cause. **Unauthorised absences are those which the school does not consider reasonable and for which no "leave" has been given. This includes:**

- **Parents/carers keeping children off school unnecessarily**
- **Truancy before or during the school day**
- **Absences which have never been properly explained**
- **Children who arrive at school too late to receive a mark**

Parents/carers whose children are experiencing difficulties should contact the school at an early stage and work together with the staff in resolving any problems. This is nearly always successful. **Our Family Support Worker will work with parents/carers to resolve problems which may affect the child's attendance.** We may involve representatives of other agencies that work within the school i.e. the School Nurse, Tier 2/3 services such as Malachi, Action for Children, Family Practitioner Service, where required, in order to ensure all children benefit from consistently good punctuality and attendance.

School Attendance and the Law

Under Section 44 of the Education Act 1996, parents/carers of a child of compulsory school age are under a legal duty to ensure the regular attendance of that child at the school where he/she is a registered pupil. Failure to discharge this duty may result in the LA prosecuting the parents/carers.

This policy reflects the most up to date legal powers and duties that govern school attendance in accordance with The Education Act 1996 and subsequent regulations and amendments.

- **Authorised absence** means that the school has given approval in advance for a pupil of compulsory school age to be absent from school.
- **Unauthorised absence** is where a school is not satisfied with the reasons given for the absence.

Authority to decide whether to authorise an absence can only be given by the Headteacher or a person acting in the absence of the Headteacher. This is to agree that there was a legitimate reason for a child not to be in school.

Illness

Parents/carers are required to notify the school on the first day the child is absent due to illness. Medical evidence can support any illnesses or health conditions reported regarding the school absence. This can be provided by hospital letters, appointment cards from GP/Dental surgeries, medicine prescribed.

The school will record the absence as unauthorised if they are not satisfied of the authenticity of the illness.

Pre-booked Medical or dental appointments

Where appointments are unable to be made out of school hours, the pupil should only be out of school for the required time for the appointment. Authorisation of the appointment will be marked with an 'M' - medical evidence can be provided to support this absence code.

The school will record the absence as unauthorised if they are not satisfied of the authenticity of the illness.

Religious observance

The day must be exclusively set apart for religious observance by the religious body to which the parents belong. Advice is sought from parents' religious body about whether it has set the day apart for religious observance. The Head teacher may request proof that the child will be attending a religious observance.

Leave of absence authorised by the school

Each request will be considered individually taking into account the circumstances, i.e. the nature of the event for which leave is requested; the frequency of the request; whether advance notice has been given by the parent/carer; pupil's attainment, attendance and ability to keep up to date with missed schooling.

Holiday authorised by the school

Leave of absence will not be granted by the Head teacher. Parents/Carers are still expected to complete a Request for Leave Form, and this must be signed by a parent/both parents/legal guardians who hold parental responsibility or anyone who has day to day responsibility for the child. This request must be made in advance.

A letter confirming the unauthorised request will then be sent back to the Parent/Carer.

- If the Parents/Carer still takes the child out of school or extend the agreed leave of absence, the absence will be recorded as unauthorised in the register.
- Staffordshire Local Authority will issue penalty notices for as little as one day unauthorised leave.
- Parents should request a leave of absence but often don't. A suspected holiday absence letter can be used in this scenario (See Appendix 5).
- Parents must be issued with a letter by school informing them that the absence has been unauthorised.
- The updated working together to improve school attendance statutory guidance has changed the way we issue holiday fines.

From the 19th August 2024 the fines will increase to:

- **£160 for the first offence in a 3-year period, but reduced to £80 if paid within 21 days**
- **£160 for a second offence in a 3-year period.**
- **Each offence after the second offence will be processed as a Single Justice Procedure with a fine of up to £1000.**

The DfE states that parents include all those with day-to-day responsibility for a child – the fines are per parent, per each child. For example, a family of four with 2 children would amount to £640 or reduced to £320 if paid within 21 days of receiving the penalty notice.

Elective Home Education

If a school receives written notification from parents/carers that they wish to home educate their child then the school will inform the Local Authority of the parents/carers decision to remove their child's name from the admissions register. Whilst school will not seek to prevent parents/carers from choosing to electively home educate their child, neither will they seek to encourage them to do this – particularly as a way of avoiding exclusion or due to a poor attendance record.

Dealing with unauthorised absence

- Parents/carers are expected to provide a reason for absence by phoning or emailing the school before 9.30 am on the first day of absence.
- In the first instance, after 9.30am, a text will be sent requesting a reason for absence. If no reply is received from the text message, this will be followed up with a phone call for parents/carers to provide reason for absence. Medical evidence can be provided to support this absence.
- If no response is received from the parent to our attempts to contact you, your child will receive an unauthorised absence mark in the register.
- The Local Authority regularly monitors attendance figures.

The Code of Conduct

The Education (Penalty Notices) Regulations 2007 set out the details of how the penalty notice scheme must operate. This includes a requirement that every local authority must draw up and publish a Code of Conduct for issuing penalty notices, after consulting all schools, including academies, and the police. The code should set out the criteria that will be used to trigger the use of a penalty notice.

Please see Appendix 1 for Staffordshire Local Authority Code of Conduct for issuing Penalty Notices August 2024.

Lakeside Primary School

- School staff will be on duty by 8.45am
- Children go into class from 8.45am. School staff will be on duty to ensure children do not leave after they arrive
- The doors to classrooms and external gates will close at 8.55am
- Children may be registered in class and this process should be finished by 8.55am so that lessons may begin
- Children who arrive after 8:55am should enter school by the main doors at the School Office

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- If children arrive at school between 8.55-9.05am, they will be recorded with a late mark (L) and will include how many minutes late they are, which is monitored
- **If children arrive later than 9.25am, they will be recorded with an unauthorised late mark (U). Any child with 10 unauthorised late marks (U) over a 10-week period, will be referred to the Education Welfare Service. (Please refer to SCC Code of Conduct regarding Penalty Notices and Fines issued to parents/carers whose child/ren is persistently late)**
- If children arrive late to school due to a medical appointment, which the school has received in advance or it is an unavoidable medical emergency, they will be recorded with a medical mark (M)
- The school's attendance register is monitored regularly by our schools Family Support Worker and reported on to the Headteacher.

Registration Codes from 19/8/24			
Code	Summary	Rational	Classification of code
/	Present AM	The session is a morning session and the pupil is present at the school when the attendance register begins to be taken.	Attending
\	Present PM	The session is an afternoon session and the pupil is present at the school when the attendance register begins to be taken.	Attending
L	Late in registration time	The pupil is absent from the school when the attendance register begins to be taken but attends before the taking of the register has ended.	Attending
K	Local Authority alternative provision	The pupil is attending a place, other than the school or another school at which they are a registered pupil, for educational provision arranged by a local authority under section 19(1) of the 1996 Act(12) or section 42(2) or 61(1) of the 2014 Act.	Attending an approved educational activity
V	Educational Visit	The pupil is attending a place, other than the school or another school at which they are a registered pupil, for an educational visit or trip arranged by or on behalf of the proprietor and supervised by a member of school staff.	Attending an approved educational activity

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P	Approved sporting activity	The pupil is attending a place for an approved educational activity that is a sporting activity.	Attending an approved educational activity
W	Work Experience	The pupil is attending a place for an approved educational activity that is work experience provided under arrangements made by a local authority or the proprietor as part of the pupil's education.	Attending an approved educational activity
B	School alternative provision	The pupil is attending a place for any other approved educational activity within paragraph (11) of The School Attendance (Pupil Registration) (England) Regulations 2024	Attending an approved educational activity
M	Medical Appointment	The pupil is absent with leave for the purpose of attending a medical or dental appointment.	Authorised absence
J1	Interview	The pupil is absent with leave for the purpose of attending an interview for employment or for admission to another educational institution.	Authorised absence
S	Study Leave	The pupil is absent with leave for the purpose of studying for a public examination. Study Leave	Authorised absence
X	Not required to attend	The pupil is not of compulsory school age and is absent with leave because their timetable does not require them to attend	Not a possible attendance
D	Dual Registered	The pupil is absent with leave for the purpose of attending another school at which they are a registered pupil. Dual Registered.	Not a possible attendance
C	Exceptional circumstances	The pupil is absent with leave for any other purpose	Authorised absence
C1	Regulated performance	The pupil is absent with leave for the purpose of participating in a regulated performance or undertaking regulated employment abroad	Authorised absence
C2	Part-time timetable	The pupil is of compulsory school age and is absent with leave because, in accordance with an agreement between a parent who they normally live with and the proprietor that the pupil should temporarily be educated on a part-time basis, their timetable does not require them to attend.	Authorised absence
T	Traveller	The pupil is a mobile (i.e. Gypsy, Roma, Travelling) child, their parent is travelling in the course of their trade or business and the pupil is travelling with that parent.	Authorised absence
R	Religious observance	The day is exclusively set apart for religious observance by the religious body to which a parent of the pupil belongs.	Authorised absence

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I	Sickness	The pupil is unable to attend because of sickness.	Authorised absence
Q	Local Authority failed to make access arrangements	The pupil is unable to attend because of a lack of access arrangements for them within paragraph (12) or (13). Local authority failed to make access arrangements.	Not a possible attendance
Y1	Normal Transport failed	The pupil is unable to attend because the school is not within walking distance of the pupil's home and the transport to and from school that is normally provided for the pupil by the proprietor or a local authority is not available.	Not a possible attendance
Y2	Travel disruption due to emergency	The pupil is unable to attend because of widespread disruption to travel caused by a local, national or international emergency.	Not a possible attendance
Y3	Partial school closure	Part of the school premises is unavoidably out of use and the pupil is one of those who the proprietor thinks cannot practicably be accommodated in those parts of the premises that remain in use.	Not a possible attendance
Y4	Whole school closure	Whole school site unexpectedly closed.	Not a possible attendance
Y5	Child in custody	The pupil is unable to attend because they are in criminal justice detention.	Not a possible attendance
Y6	Public health guidance	Unable to attend in accordance with Public Health guidance or Law	Not a possible attendance
Y7	Other unavoidable cause	The pupil is unable to attend because of any other unavoidable cause	Not a possible attendance
E	Excluded or suspended	The pupil is excluded or suspended from the school for any other reason.	Authorised absence
G	Family Holiday	The pupil is absent without leave for the purpose of a holiday.	Unauthorised absence
N	Not yet known	The circumstances of the pupil's absence have not yet been established.	Unauthorised absence
O	No reason or unsatisfactory reason	No reason for absence is established or the school is not satisfied that the reason given is one that would be recorded using one of the codes classified as authorised.	Unauthorised absence
U	Late after registration close	Arrived in school after the registration closed	Unauthorised absence
Z	Not on admission register	Prospective pupil not on admission register	Administration Code, not collected
#	Planned school closure	Planned whole school closure	Administration Code, not collected

Procedures

The school applies the following procedures in deciding how to deal with individual absences:

- Parents/carers are informed by text between 9.30am and 10.00 am if their child is absent from school and no reason has been given. By contacting the parent/carers, we hope to ensure that the parent/carer is aware their child is not in school, enabling the parent/carer where necessary to establish their child is safe
- Where possible we use the child's attendance from last year as our starting point when calculating any child's attendance, especially during the first term of a new academic year.
- *Parents whose children have an attendance rate below 90%, will be asked to provide medical evidence for absences relating to illness ie GP appointment card, correspondence, medicine prescribed etc. for every absence.* If these are not forthcoming the absence will be recorded as an unauthorised absence. When an individual pupil's attendance level falls below 95% in any term without good reason, a meeting may be arranged for the parent/carer to meet with the schools Family Support Worker, to discuss any individual issues and how the school can support the improvement in their child's attendance.
- Following investigation, any unresolved issues may result in a referral to the Education Welfare Service. This may result in the parent receiving a Notice to Improve Letter, Penalty Notice, fine or ultimately a prosecution under the Education Act 1996 Section 444.

Rewards and incentives for attendance

Parents/carers are informed by letter, three times a year (Autumn half term, Spring half term, Summer half term), of their child's attendance using a set template letter (appendix 2)

Attendance certificates and prizes will be awarded to those children who have a mark of 97% and above. These will be awarded at the Autumn half term, Spring half term and Summer half term.

At the end of the Academic year, 97-100% attending children have a special assembly to celebrate their success and will be awarded a certificate and a prize. The class that has performed the best with school attendance will also receive a special prize for them to celebrate and enjoy.

Each week, the best attending classes also receive additional playtime and are awarded a certificate.

Summary

The schools have 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.

All staff are committed to working with parents/carers to support a high level of attendance.

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Appendix

- Appendix 1 Staffordshire County Council's Code of Conduct (19.08.2024) – See below link
<https://www.staffordshire.gov.uk/Education/Education-welfare/Documents/Penalty-Notice-Code-of-Conduct-July-24-FINAL.pdf>
- Appendix 2 Termly Attendance Letters – Colour coded (Green 97% and above, Yellow (acceptable range), Red 90% and below).
- Appendix 3 Request for Leave Form
- Appendix 4 Request for Leave Outcome Letter
- Appendix 5 Letter to Parents/Carers regarding suspected leave
- Appendix 6 Guidance Notes for Parents requesting Leave in Term Time
- Appendix 7 Notice to Improve Letter
- Appendix 8 Successful Notice to Improve Letter
- Appendix 9 Letter from Staffordshire County Council regarding Attendance changes

Appendix 2 – Green Attendance Letter

Date:

Parent/Carer of

Your child is in the GREEN GROUP (Excellent)

We are writing to congratulate you and

Since the beginning of the academic year, «his_her» attendance percentage is %. This is excellent! Such good attendance is ensuring that is missing as little teaching and learning as possible.

Information we are obliged to inform you of is regarding unauthorised absences. Any parent/carer whose child gains 5 days (10 sessions) over a 10-week period of unauthorised absences will be referred to the Local Education Authority and the parent/carer may receive a Notice to Improve letter / Penalty Notice Referral from them.

Our Attendance Policy is available for you to read on our Schools Website.

We operate a colour code system in an attempt to improve the attendance of all the children here at Lakeside Primary School, as evidence shows that attendance does affect a child's learning and attainment.

Thank you for your continuing support.

Yours sincerely

Neil Probert
Head Teacher

Appendix 2 – Yellow Attendance Letter

Date:

Parent/Carer of

Your child is in the YELLOW GROUP (Good)

Since the beginning of the academic year, your child's attendance percentage is%. This is classed as acceptable, but we do recommend that your child is not absent unnecessarily for the rest of the year, so that they may achieve an attendance percentage of over 97%. Good attendance ensures that your child is missing as little teaching and learning as possible.

Information we are obliged to inform you of is regarding unauthorised absences. Any parent/carer whose child gains 5 days (10 sessions) over a 10-week period of unauthorised absences will be referred to the Local Education Authority and the parent/carer may receive a Notice to Improve letter / Penalty Notice Referral from them.

We operate a colour code system in an attempt to improve the attendance of all children here at Lakeside Primary School, as evidence shows that attendance does affect a child's learning and attainment.

All children should have an attendance percentage of at least 97%, unless there are exceptional circumstances that allow them to be in the yellow group.

Should you have any concerns regarding your child's attendance mark, or require any additional support, please do not hesitate to make contact with us.

Thank you for your continuing support.

Yours sincerely

Neil Probert
Head Teacher

Appendix 2 – Red Attendance Letter

Date:

Parent/Carer of:

Your child is in the **RED GROUP (Below 90%) - Persistent Absence**

As part of ensuring our pupils at Lakeside Primary continue to get the best possible education, we have a statutory duty to ensure that all children attend school regularly. Our policy is to contact parents when this dips below a certain threshold.

Since the beginning of the academic year, your child has missedsessions, which is the equivalent to..... days.

Due to your child's low attendance (.....), absences from school will require proof of medical attention i.e. GP appointment card or medication prescribed by a GP. If this is not provided an unauthorised absence mark will be recorded in the register.

As your child is currently in the red group, they are now categorised as a "Persistent Absence Pupil" by the Local Authority. Any parent/carer whose child gains 5 days (10 sessions) over a 10-week period of unauthorised absences or is late 10 times after register closes, will be referred to the Local Education Authority, and the parent/carer may receive a Notice to Improve Letter / Penalty Notice from them, which could result in Court action should the attendance concern continue.

Our Attendance Policy is available for you to read on our Schools Website.

We operate a colour code system in an attempt to improve the attendance of all children here at Lakeside Primary School, as evidence shows that attendance does affect a child's learning and attainment. All children should have an attendance percentage that allows them to be in the green or yellow group.

This letter is an awareness letter. We will continue to monitor your child's attendance on a weekly basis / You are requested to attend a school attendance meeting on to discuss this further.

Should you have any concerns regarding your child's attendance mark, or require any additional support, please do not hesitate to make contact with us.

Yours sincerely

Neil Probert
Head Teacher

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Appendix 3 - Request for Leave during Term Time

Child's Full Name _____ DOB _____

Child's Address _____

_____ Postcode _____

I request leave of absence from school (exceptional circumstances only) during term time for the period from _____ to _____ (Dates).

Total number of school days requested for leave _____ (Days).

Reason for request for leave during term time. Please include supporting evidence (This section must be answered in full with as much detail as possible and supporting evidence must be provided along with this application).

I have other children in different schools:

Childs Full Name _____ School Attending _____

Childs Full Name _____ School Attending _____

Childs Full Name _____ School Attending _____

Signature of 1st Parent/Carer _____ Print Name _____

Signature of 2nd Parent/Carer _____ Print Name _____

Please return completed form to the school office. The school will write to you and inform you of the decision taken.

Office use only

Current Attendance _____ % Last Year's Attendance _____ % **Agreed / Not Agreed**

Signed _____ Mr Probert (Head Teacher) Date _____

Notification of decision: Date letter sent to parent/carer _____

Should your child be absent from school on the dates of, a penalty notice request will be completed and passed to the Education Welfare Service for further action.

Appendix 4 – Outcome Letter to Parents/Carers regarding Request for Leave

Dear Parent/Carer of:

CHILDS NAME / DOB

Thank you for your leave of absence request informing us that will be absent from school from (**ABSENCE DATES**).

You will be aware that the Department of Education made important changes to the law for families wanting to request leave of absence in term time. The changes made it clear that head teachers may not grant any leave of absence during term time unless there are exceptional circumstances. The Local Authority and school governors support this; therefore, students will only be given permission to take leave in term time if there are exceptional circumstances.

I have considered your application very carefully. Although I understand the reason for your request, I am unable to approve leave of absence in this instance, as I believe the circumstances are not exceptional or in line with school policy. **Therefore, your child's absence from school during this period has been recorded as Unauthorised Absence and will be recorded in the attendance register with the "G" code.**

As a school we are obliged to inform you that you will be subject to a Penalty Notice if your child's absence from school is unauthorised. This is in line with Staffordshire County Councils Code of Conduct and the "Working Together to Improve School attendance" statutory guidance (effective 19th August 2024). The penalties for unauthorised leave of absence in term time will be:

For a **First** offence the Penalty Notice fine would be:

- £80 per parent, per child if paid within 21 days, rising to
- £160 per parent, per child if paid between 21-28 days.

For a **Second** offence within 3-years of the first penalty notice being issued, the penalty notice fine would be:

- £160 per parent, per child if paid between 28 days.

Following the second offence every new offence within the 3-year period, will be prosecuted under S444.1 of the Education Act 1996. I must advise you that if the prosecution takes place, the maximum fine is £1,000 per parent, per child. This reflects the seriousness of unauthorised absence from school.

Our key priority is to ensure that your child is as successful as possible and can achieve their full potential.

I would hope that upon reflection you are able to support this decision in line with the Local Authority and Government policy, that leave should be planned for the 13 weeks school holidays except in exceptional circumstances.

Yours sincerely

Headteacher

Appendix 5 – Letter to Parents/Carers regarding suspected leave

Dear Parent/Carer of

CHILDS NAME / DOB

We have reason to believe that **CHILDS NAME** absences during **DATES** were due to unrequested leave. The reason for this is because: (select which is appropriate or enter your own)

- **School CALLED & RECEIVED A FOREIGN DIAL TONE**
- **School CALLED YOU & YOU INFORMED US YOU WERE ON HOLIDAY**
- **CHILD TOLD TEACHER**
- **HOME VISITS COMPLETED NO ANSWER**

As a school we want to make every effort to establish the reason for a pupil's absence. Where no reason for absence is provided within 5 school days or the school is not satisfied that the reason given is legitimate the school is required to amend the pupil's attendance to be recorded as unauthorised.

We understand that you may wish to offer an alternative explanation for your child's absence. We will, therefore, allow you 5 school days from the date of this letter to provide evidence to us that supports a legitimate reason for the absence. **If we do not receive appropriate evidence, by this time, then we will continue to code your child's absence as an unauthorised.**

As a school we are obliged to inform you that you may be subject to a Penalty Notice if your child's absence from school is unauthorised. This is in line with Staffordshire County Councils Code of Conduct and the "Working Together to Improve School attendance" statutory guidance (effective 19th August 2024). The penalties for unauthorised leave of absence in term time will be:

For a **First** offence the Penalty Notice fine would be:

- £80 per parent, per child if paid within 21 days, rising to
- £160 per parent, per child if paid between 21-28 days.

For a **Second** offence within 3-years of the first penalty notice being issued, the penalty notice fine would be:

- £160 per parent, per child if paid between 28 days

Following the second offence every new offence within the 3-year period, will be prosecuted under S444.1 of the Education Act 1996. I must advise you that if the prosecution takes place, the maximum fine is £1,000 per parent, per child. This reflects the seriousness of unauthorised absence from school.

Our key priority is to ensure that your child is as successful as possible and can achieve his full potential.

Yours sincerely

Head Teacher

Appendix 6 - Guidance Notes for Parents requesting Leave of Absence during Term Time

1. Parents who want the school to consider granting leave of absence in school term time should read these notes carefully, complete the attached form and return it to the school office. This form should be returned to school giving enough time for your request to be considered and well before the desired period of absence. Parents are strongly advised not to finalise any booking arrangements before receiving the school's decision regarding their request. Headteachers are unable to authorise any leave of absence unless the request is received before the period of absence begins.
2. The Department for Education makes it clear that Headteachers may not grant leave of absence during term time unless there are exceptional circumstances. Headteachers now also determine the number of school days a child can be away from school if the leave is granted.
3. There is no automatic right to any leave in term time.
4. Mercia Primary Academy Trust understands the challenges that some parents face when booking holidays particularly during school holidays. However, we believe that, in order to ensure children receive the best education and prospects, they should be in school during term time.
5. Each case will be considered individually and on its own merit. Parents need, therefore to consider very carefully before making any request for leave of absence. In considering a request, the school will take account of:
 - The exceptional circumstances
 - The attendance pattern of the child
 - Frequency of similar requests
 - The stage of the child's education and progress
 - Effects this will have on the child's future progress
 - Whether the parent made the request in advance
 - If the child is due to sit any exams including SATS – They will not normally be granted leave of absence
6. Where parents have children in more than one school, a separate request must be made to each school, as well as if you have more than one child attending this school. The Headteacher of each school will make their own decision based on the factors relating to the child, their school and their stage of education. However, Headteachers may choose to liaise with each other as part of their decision-making process.

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7. Should the school decide to grant leave of absence, but the child does not return to school at the same time they were expected to and no information is available to the school to explain and justify their continuing absence, they will be recorded as unauthorised. The school must be satisfied with any reason justifying the absence, if they are not, then the absence will also be recorded as unauthorised. The school will then complete a Penalty Notice Request to the Education Welfare Service for further action.
8. **Should the school decide not to grant leave of absence and parents still take their child out of school, the absence will be recorded as unauthorised, which will be subject to Penalty Notice Referral / fine of £160 per parent, per child or £80 per parent, per child if paid within 21 days.**
9. **If there is a second leave of absence unauthorised within the three years of the first leave of absence, there will be a fine of £160 per parent, per child.**
10. **If there is a third leave of absence unauthorised within the three years of the first leave of absence, there Each offence after the second offence will be processed as a Single Justice Procedure with a fine of up to £1000.**

In cases where the Single Justice Procedure is proving ineffective the local authority may consider prosecution under section 441a of the education act. A parent can be fined up to £2500, given a community order or a custodial sentence of up to 3 months. We always involve social care when assessing for a 4441a.

11. The Local Authority will continue to monitor all school absences during term time and support Headteachers in challenging parents who ignore the law.

Appendix 7 – Notice to Improve Letter

Date

PARENT/CARERS NAME

Address

Dear PARENT NAME

RE: Attendance concern to be referred to the Local Authority

It has come to my attention that **Student Name** has recently had sessions of unauthorised absence between and As a parent of **Student Name**, under section 7 Education Act 1996, you have a duty to ensure your child receives a suitable education by regular attendance at school.

Unfortunately, the support we have offered you has not improved your child's attendance. This support remains open to you, and though we would urge you to engage with us and this offer, we are now required under the new national framework for improving school attendance to notify the County Council, Education Welfare Officer of the unauthorised absence.

The Education Welfare Officer will now consider issuing a Notice to Improve letter which is intended as a final opportunity for you as a parent to engage in support and improve your child's attendance before a penalty notice is issued.

As a school we are required to report continued unauthorised absence to the County Council, but it is our hope that as parents you will work with us to ensure **STUDENT NAME** attends school every day.

The Education Welfare Officer will write to you shortly with their decision and if appropriate the details of the notice to improve.

Yours sincerely

Neil Probert
Headteacher

Appendix 8 – Successful Notice to Improve Letter

Date

PARENT/CARERS NAME

Address

Dear PARENT NAME

RE: Notice to Improve - Successfully Completed

I am pleased to inform you that I have been notified by Staffordshire County Council's Education Welfare Officer that the Notice to Improve you were issued has been successfully completed.

The satisfactory attendance of your child means that the Education Welfare Officer is no longer involved and you will not receive a penalty notice.

Although there has been a marked improvement in the period, the Education Welfare Officer has asked to be notified if attendance declines again, at which point they may consider issuing you with a penalty notice or taking steps towards prosecution for unauthorised absence.

I sincerely hope that it will not be necessary to re-refer any further attendance concerns and your child will attend school regularly from now on.

Yours sincerely

Neil Probert
Head Teacher

Appendix 9 – Letter from Staffordshire County Council regarding Attendance changes

Children and Families
Staffordshire Place 1
Tipping Street
Stafford
ST16 2DH

Date 3rd June, 2024

Changes to issuing penalty notices for leave in term time

Dear Headteacher,

In February 2024, the Department for Education published *Working together to improve School Attendance*. Within this document, in Chapter 6, it lays out the changes to issuing penalty notices.

The changes to the law are introduced through the Education (Penalty Notices) (England) (Amendment) Regulations 2024 and will come into effect from 19 August 2024. This means that any unauthorised leave taken after this date will be dealt with under the new Regulations. However, for clarification if the unauthorised leave took place prior to this date, but we didn't receive the notification from you until after the 19th August 24 then it will still be dealt with under the previous regulations.

The changes to the regulations are significant so it is important to ensure your parents understand them, so they can consider the consequences for themselves before taking leave in term time.

New two penalty notice limit in a three-year period

The three-year rolling period starts for parents when the first penalty notice is issued to them after the 19th August 2024.

The first Penalty Notices for leave in term time will increase to £160 per parent per child but can be reduced to £80 per parent per child if paid within 21 days.

If a second penalty notice is issued within three years of the first penalty notice, then this will be at a fixed rate of £160 per parent per child, with no reduction for early payment.

A third penalty notice **cannot** be issued within the three-year period; therefore, the county council will deal with any further unauthorised leave through prosecution in the Magistrates Court. If the parent is found guilty, the potential fine is up to £1000.

Please note.

If a parent books a holiday now to take place after the 19th August 2024, they will be dealt with in line with when the actual unauthorised leave from school occurs, not the date of the booking. If the penalty notice is not paid within the given period, the county council will prosecute for the original offence to which the notice applies.

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To clarify in terms of the three-year period, Penalty Notices issued for unauthorised absences taken before the 19th August 2024 will not be included in the three year period. However, **all penalty notices issued for any reason connected to unauthorised absences after the 19th August 2024 will be counted in the three-year period**, even if they are not paid by the parents. The only penalty notices not counted in the three-year period will be those withdrawn by the county council due to an error related to them been issued.

National threshold for issuing penalty notices.

Parents may have heard about the new national threshold for issuing penalty notices which has been set at 10 sessions (5 school days) of unauthorised absence in a rolling period of 10 school weeks.

However, if in an individual case the local authority believes a penalty notice would be appropriate, they retain the discretion to issue one before the threshold is met.

For example - where parents are deliberately avoiding the national threshold by taking several term-time holidays below threshold, or for repeated absence for birthdays or other family events.

It is important for your parents to know that in the new regulations when a school becomes aware that the threshold has been met, they are expected in every case to consider whether to request the county council issue a penalty notice. Therefore, we will continue to ask schools to notify us of all unauthorised leave in term time that meets the threshold of 5 school days, and any below this threshold that you want us to consider if it falls within our discretionary powers to issue one.

New code of conduct for issuing penalty notices.

We will publish a new code of conduct for issuing penalty notices in August 2024 to coincide with the new regulations coming into force. This will contain the details of how the penalty notices will be issued and other uses of penalty to improve attendance.

We advise you inform that your parents are communicated with as soon as possible about these changes. You are welcome to share this letter with them or use the content in your own communications.

Regards

Karl Hobson
Head of Attendance and Inclusion

This information can be made available in a range of formats and languages, including Braille and large print. If this would be useful to you or someone you know, please contact your Directorate HR Unit.

A signed copy of this document is available from the school office.

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Version Control

Version	Date Approved	Changes	Reasons for Alterations
V2	24.10.2018	No Changes	
V3	12.11.2019	Updated to include Lakeside	
V4	01.03.2021	Appendix to add additional COVID codes	Covid amendment
V5	24.03.2021	Added a range of different format.	Accessibility.
V6	17.06.2022	Updated Policy as a single policy, removing Flax Hill and Lark Hall Academy Covid rules/information removed Times for when register closes updated	Change in family support worker. No longer a requirement Lakeside specific not MAT generic
V7	19.08.2024	New legislation with regards to leave of absence New legislation with regards to unauthorised marks and lateness New registration codes Amendments to termly attendance letters and request for absence forms Removal of Sapling as a support service Appendixes	In-line with the Local Authority Sapling is no longer in place Providing additional information of Attendance changes and new Attendance Letters