Attendance policy

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1. Aims

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

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

We will also promote and support punctuality in attending lessons.

2. Legislation and guidance

This policy meets the requirements of the government guidance 2024 Working together to improve school attendance (applies from 19 August 2024) (publishing.service.gov.uk) from the Department for Education (DfE), and refers to the DfE's 2015 statutory guidance on School Attendance Parental Responsibility Measures. These documents are drawn from legislation setting out the legal powers and duties that govern school attendance including:

- The Education Act 1996

- The Children Act 1989
- The Crime and Disorder Act 1998
- The Anti-social Behaviour Act 2003
- The Education and Inspections Act 2006
- The Sentencing Act 2020
- The School Attendance (Pupil Registration) (England) Regulations 2024
- The Education (Parenting Contracts and Parenting Orders) (England) Regulations 2007
- The Education (Information about Individual Pupils) (England) (Amendment) Regulations 2024
- The Education (Penalty Notices) (England) (Amendments) Regulations 2024

The DfE's guidance on the school census explains the persistent absence threshold.

It also refers to:

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

3. Roles and responsibilities

3.1 The local governing body (LGB)

The local governing body is responsible for:

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

        - The school's strategies and procedures for tracking, following up on and improving attendance, including working with partners and keeping them informed regarding specific pupils, where appropriate

- Making sure dedicated training is provided to staff with a specific attendance function in their role, including in interpreting and analysing attendance data
- Sharing effective practice on attendance management and improvement across the trust and providing regular opportunities for staff from different schools to come together, learn from each other and share resources
- Holding the headteacher to account for the implementation of this policy
- Trust Board only: Identifying and monitoring attendance patterns across the trust's schools to identify common issues and barriers, and share effective practice between schools

3.2 The headteacher

The headteacher is responsible for:

- The implementation of this policy at the school
- Monitoring school-level absence data and reporting it to governors
- Supporting staff with monitoring the attendance of individual pupils
- Monitoring the impact of any implemented attendance strategies
- Issuing fixed-penalty notices, where necessary and/or authorising the school's attendance officer to be able to do so
- Working with the parents of pupils with special educational needs and/or disabilities (SEND) to develop specific support approaches for attendance for pupils with SEND, including where school transport is regularly being missed, and where pupils with SEND face in-school barriers
- Communicating with the local authority when a pupil with an education, health and care (EHC) plan has falling attendance, or where there are barriers to attendance that relate to the pupil's needs
- Communicating the school's high expectations for attendance and punctuality regularly to pupils and parents through all available channels

3.3 The Trust Attendance Champion

The Trust Attendance Champion is responsible for:

- Driving attendance improvement across the trust
- Working more intensively with schools who require support to improve attendance
- Acting as a central contact point for schools with attendance queries
- Liaising with the DfE's regional teams for advice about wider support programmes

The Trust Attendance Champion is: Vicky Dupras, Director of School Improvement

3.4 The designated senior leader responsible for attendance

The designated senior leader is responsible for:

- Leading, championing and improving attendance across the school
- Setting a clear vision for improving and maintaining good attendance
- Evaluating and monitoring expectations and processes
- Having a strong grasp of absence data and oversight of absence data analysis

- Regularly monitoring and evaluating progress in attendance
- Establishing and maintaining effective systems for tackling absence, and making sure they are followed by all staff
- Liaising with pupils, parents/carers and external agencies, where needed
- Building close and productive relationships with parents to discuss and tackle attendance issues
- Creating intervention or reintegration plans in partnership with pupils and their parents/carers
- Delivering targeted intervention and support to pupils and families

The designated senior leader responsible for attendance is Emma Cooper

3.5 The school attendance officer

The school attendance officer at each school is responsible for:

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

The attendance officer is Hannah Caulfield/Emma Cooper

3.6 Class teachers

All class teachers are responsible for recording attendance for both morning and afternoon sessions on a daily basis, using the correct codes (see Appendix 1), and submitting this information to the school office. In The Partnership Trust, attendance is recorded via Bromcom.

3.7 School admin/office staff

School admin/office staff will:

- Take calls from parents/carers about absence on a day-to-day basis and record it on the school system
- Refer parents/carers to the designated senior leader where appropriate, in order to provide them with more detailed support on attendance

3.8 Parents

Where this policy refers to a parent[1], it refers to the adult the school and/or local authority decides is most appropriate to work with, including:

- All natural parents, whether they are married or not
- All those who have parental responsibility for a child or young person
- Those who have day-to-day responsibility for the child (i.e. lives with and looks after them)
- Parents are expected to:
    - Make sure their child attends every day, on time

[1] In this policy the term 'parent' includes parents and carers.

- Call the school to report their child's absence before 9AM on the day of the absence (and each subsequent day of absence), and advise when they are expected to return
- Provide the school with more than 1 emergency contact number for their child
- Ensure that, where possible, appointments for their child are made outside of the school day
- Keep to any attendance contracts or action plans that they make with the school and/or local authority
- Seek support, where necessary, for maintaining good attendance, by contacting the school and working with the designated senior leader for attendance

3.9 Pupils

Pupils are expected to:

- Attend school every day, on time.

4. Recording attendance

4.1 Attendance register

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

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

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

Any amendment to the attendance register will include:

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

See Appendix 1 for the DfE attendance codes.

We will also record:

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

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

The school day starts at 4:40AM and ends at 3:10PM

Pupils must arrive in school by 8:50 on each school day.

The register for the first session will be taken at 8:50AM and will be kept open until 9:00AM, 10 minutes after the session begins. The register for the second session will be taken at 1:00PM and will be kept open until 1:10PM.

4.2 Unplanned absence

The pupil's parent must notify the school of the reason for the absence on the first day of an unplanned absence by 9:00AM, or as soon as practically possible, by calling the school office.

Parents should call the school office on 01225 424950 and leave a message on the automated service.

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

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

On occasion, a child's attendance becomes so low that the school cannot authorise any absences without seeing medical evidence, such as a prescription or a GP appointment text. If your child's attendance is below 90% schools may ask for medical evidence to be provided until attendance returns to an acceptable level.

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

4.3 Planned absence

Attending a medical or dental appointment will be counted as authorised as long as the pupil's parent/carer notifies the school in advance of the appointment.

Parents should request an absence form from the school office.

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

The pupil's parent/carer must also apply for other types of term-time absence as far in advance as possible of the requested absence. Go to section 5 to find out which term-time absences the school can authorise.

4.4 Lateness and punctuality

Arriving at school on time and ready for the start of the day is crucial for all children.

A pupil who arrives late:

- Before the register has closed will be marked as late, using the appropriate code
- After the register has closed will be marked as absent, using the appropriate code

Where issues arise with punctuality, the designated senior leader will aim to offer to work with the parents or carers and support them to ensure their child(ren) attends school on time every day.

4.5 Following up unexplained absence

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

- Call the pupil's parent on the morning of the first day of unexplained absence to ascertain the reason. If the school cannot reach any of the pupil's emergency contacts, the school may visit the family home or, in some instances call the police to perform a welfare check.
- Identify whether the absence is approved or not

- Identify the correct attendance code to use and input it as soon as the reason for absence is ascertained – this will be no later than 5 working days after the session(s) for which the pupil was absent
- Call the parent on each day that the absence continues without explanation, to make sure proper safeguarding action is taken where necessary. If absence continues, the school will consider involving the Education Welfare Service of the local Authority within which the school sits:
    - Bath and North East Somerset Attendance And Welfare Support Service
    - Somerset's Education Engagement Services (ESS) Support Services for Education
- Where appropriate, offer support to the pupil and/or their parents to improve attendance
- Identify whether the pupil needs support from wider partners, as quickly as possible, and make the necessary referrals
- Where support is not appropriate, not successful, or not engaged with: issue a notice to improve, penalty notice or other legal intervention (see section 5.3 below), as appropriate

4.6 Children Missing Education (CME)

Our school will add and delete pupils from roll in line with the law. A pupil's name can only lawfully be deleted from the admission register if a reason set out in regulation 9 of the School Attendance (Pupil Registration) (England) Regulations 2024 is given. The school will follow Local Authority guidance and make CME and Pupil Tracking referrals as appropriate. The school will seek advice from the Local Authority if unsure about any individual cases:

BANES Children Missing Education

Somerset Children Missing Education

4.7 Reporting to parents

The school will regularly inform parents (see definition of 'parent', as used in this policy, in section 3.8 above) about their child's attendance and absence levels, attendance is available daily on MCAS (My child at School). The attendance team will contact families where attendance becomes a concern either in person, on the telephone or via class dojo.

5. Authorised and unauthorised absence

5.1 Approval for term-time absence

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

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

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

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

The Partnership Trust's definition of 'exceptional circumstances' can be found in Appendix 2

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

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

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

Any request should be submitted as soon as it is anticipated and, where possible, at least two weeks before the absence, and in accordance with any leave of absence request form, accessible via the school's website or the office. The headteacher may require evidence to support any request for leave of absence

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

- Illness (including mental-health illness) and medical/dental appointments (see sections 4.2 and 4.3 for more detail)
- Religious observance – where the day is exclusively set apart for religious observance by the religious body to which the pupil's parent(s) belong (s). If necessary, the school will seek advice from the parent's religious body to confirm whether the day is set apart
- Parent(s) travelling for occupational purposes – this covers Roma, English and Welsh gypsies, Irish and Scottish travellers, showmen (fairground people) and circus people, bargees (occupational boat dwellers) and new travellers. Absence may be authorised only when a traveller family is known to be travelling for occupational purposes and has agreed this with the school, but it is not known whether the pupil is attending educational provision
- If the pupil is currently suspended or excluded from school (and no alternative provision has been made)

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

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

5.2 Sanctions

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

Penalty notices

Parents have a legal responsibility to ensure that their child attends school on a regular basis.
Under section 444 of the Education Act 1996, if a child of compulsory school age[2], who is a registered pupil at a school, fails to attend regularly at the school his/her parent(s) are guilty of an offence. Parents with more than one school aged child need to be aware that each child's irregular attendance is dealt with as a separate matter.

[2] A child becomes of 'compulsory school age' on the 1st January, 1st April or 1st September following their 5th birthday and ceases to be of compulsory school age on the last Friday in June of Year 11.

Therefore, it is deemed a criminal offence under Section 444 of the Education Act 1996 to fail to secure regular attendance of a registered pupil at the school. This applies to both resident and non-resident parents who may both be subject to legal sanctions if their child fails to attend school regularly. It also applies to others who may not be the parent but may have day to day care of the child.[3]

Unauthorised absence from school can result in a number of different outcomes for parents and children. Each case is considered individually.

The school will refer cases of unauthorised absence that meet the threshold for a Penalty Notice to the Local Authority for consideration that could result in legal action unless there are reasonable grounds for not doing so. The outcome of a referral to the Local Authority may be a Penalty Notice or Prosecution.

Penalty Notices are intended as a sanction for low level offences They are an alternative to prosecution and may not be issued if prosecution is considered to be a more appropriate response to a pupil's irregular attendance. Before requesting a penalty notice, the school will consider the individual case, including:

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

A penalty notice may also be issued where parents allow their child to be present in a public place during school hours without reasonable justification, during the first 5 days of a suspension or exclusion (where the school has notified the parents that the pupil must not be present in a public place on that day).

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

The payment must be made directly to the local authority. If the payment has not been made after 28 days, the local authority can decide whether to prosecute or withdraw the notice. A pupil's unauthorised absence from school could result in one of the following:

1. A penalty notice. The penalty is £80 per parent per child payable within 21 days, or £160 per parent per child if paid between 22 and 28 days.

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

2. If a **second** penalty notice is issued within a rolling 3 year period, to the same parent in respect of the same pupil, the penalty is £160 per parent , per child if paid within 28 days.

3. Prosecution

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

Failure to pay a penalty notice will result in prosecution.

[3] Education law defines parents as: all natural parents, whether they are married or not; any person who has parental responsibility for a child or young person; and any person who has care of a child or young person i.e., lives with and looks after the child. In this policy the term 'parent' includes parents and carers.

Prosecution could lead to fines up to £2500 and /or up to 3 months imprisonment. (See DfE's statutory guidance on School attendance parental responsibility measures for more information and the Local Authority's Penalty Notice Code of Conduct.)

The BANES Code of conduct can be found in Appendix 4.

The Somerset Code of Conduct can be found here:

Somerset Penalty Notice Protocol

Notices to improve

If the national threshold has been met and support is appropriate, but parents do not engage with offers of support, the school may offer a notice to improve to give parents a final chance to engage with support.

Notices to improve will be issued in line with processes set out in the local code of conduct for the local authority area in which the pupil attends school.

They will include:

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

There is the expectation for schools, trusts and local authorities to work together and make use of the full range of legal interventions rather than relying solely on fixed penalty notices or prosecution. It is for individual schools and local authorities to decide whether to use them in an individual case after considering the individual circumstances of a family.

The range of legal interventions are:

- Parenting contracts
- Education supervision orders
- Attendance prosecution
- Parenting orders
- Fixed penalty notices

6. Strategies for promoting attendance

At Roundhill Primary School we use a number of reward systems to promote and celebrate good attendance, improved attendance and attendance that is improving because barriers have been overcome. We believe building positive relationships with families is key to good attendance, our

Parent and Family Support Advisor (PFSA) work closely with families where attendance is raised as being a concern.

The approaches we use are detailed here:

- Regular monitoring of attendance by an attendance team
- Parent, Family Support advisor work closely with families regarding attendance
- Rewards and motivators embedded into classroom practice
- Attendance and holistic curriculum access is monitored and tracked as part of whole pupil progress
- Regular attendance updates are sent to families

7. Supporting pupils who are absent or returning to school

7.1 Pupils absent due to complex barriers to attendance

The school will:

- Use attendance data to find patterns and trends of persistent and severe absence
- Hold regular meetings with the parents of pupils who the school (and/or Local Authority) considers to be vulnerable or are persistently or severely absent, to discuss attendance and engagement at school
- Provide access to wider support services to remove the barriers to attendance
- Use a proportion of Pupil Premium Grant to support disadvantaged learners
- Adopt a holistic, whole child approach to supporting attendance.
- Work with other agencies to support improved attendance

We will support pupils who are absent through regular contact with their class teachers and with support from our PFSA's and senior leadership team.

We will support pupils who are returning to school based on their individual and unique requirements. This could be through:

- Visual timetables, reintegration plans
- Reduced timetables building up over time
- Visits to the home
- Visits to school to support social interactions with peers
- Team around the family meetings

7.2 Pupils absent due to mental or physical ill health or SEND

Where pupil's health is affecting their attendance we will work with families to adapt the curriculum to ensure we are meeting needs. This could be through part time timetables, reduced curriculum or access to therapeutic support. We will always seek to liaise with medical professionals involved to ensure consistency.

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

7.3 Pupils returning to school after a lengthy or unavoidable period of absence

We will work with the pupil, family and other professionals to set out a personalised transition timetable, which is achievable and ambitious.

8. Attendance monitoring

8.1 Monitoring attendance

The school will monitor attendance and absence data, including punctuality, half-termly, termly and yearly across the school and at an individual pupil, year group and cohort level.

All Trust schools have granted the DfE access to their management information system, so that the data can be accessed regularly and securely.

Data will be collected each term and published at national and local authority level through the DfE's school absence national statistics releases. The underlying school-level absence data is published alongside the national statistics.

The school will benchmark its attendance data at whole school, year group and cohort level against local, regional, and national levels to identify areas of focus for improvement, and share this with the governing board.

The Trust Attendance Champion will benchmark attendance data at school, Trust, regional and national levels and share with the Trust Standards Board.

8.2 Analysing attendance

The school will:

- Analyse attendance and absence data regularly to identify pupils, groups or cohorts that need additional support with their attendance
- Identify pupils whose absences may be a cause for concern, especially those who demonstrate patterns of persistent or severe absence
- Conduct thorough analysis of half-termly, termly, and full-year data to identify patterns and trends
- Look at historic and emerging patterns of attendance and absence, and then develop strategies to address these patterns

The Trust Attendance Champion will identify patterns across the Trust to identify common issues and barriers and share effective practice between schools

8.3 Using data to improve attendance

The school will:

- Develop targeted actions to address patterns of absence (of all severities) of individual pupils, groups or cohorts that it has identified via data analysis
- Provide targeted support to the pupils it has identified whose absences may be a cause for concern, especially those who demonstrate patterns of persistent or severed absence, and their families (see section 8.4 below)

- Produce regular attendance reports to facilitate discussions with pupils and families, and for the governing board and school leaders (including special educational needs co-ordinator, designated safeguarding lead and pupil premium lead)
- Use data to monitor and evaluate the impact of any interventions put in place in order to modify them and inform future strategies
- Share information and work collaboratively with other schools in the area, local authorities and other partners where a pupil's absence is at risk of becoming persistent or severe, including keeping them informed regarding specific pupils, where appropriate

8.4 Reducing persistent and severe absence

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

The school will:

- Use attendance data to find patterns and trends of persistent and severe absence
- Consider potential safeguarding issues and, where suspected or present, address them in line with Keeping Children Safe in Education
- Hold regular meetings with the parents of pupils who the school (and/or local authority) considers to be vulnerable or at risk of persistent or severe absence, or who are persistently or severely absent, to:
    - Discuss attendance and engagement at school
    - Listen, and understand barriers to attendance
    - Explain the help that is available
    - Explain the potential consequences of, and sanctions for, persistent and severe absence
    - Review any existing actions or interventions
- Provide access to wider support services to remove the barriers to attendance, in conjunction with the local authority, where relevant
- Consider alternative support that could be put in place to remove any barriers to attendance and re-engage these pupils. In doing so, the school will sensitively consider some of the reasons for absence
- Implement sanctions, where necessary (see section 5.2, above)

8.5 Sharing attendance information with the Local Authority

Schools of all types, local authorities and other local partners should work jointly and share data on individual cases where it is of benefit to the pupil (e.g. health services where there are medical conditions or the police where there are extra-familial harms). Local authorities and schools (of all types) are expected to have regular Targeting Support Meetings. Further, to facilitate timely collaborative working across partners, all schools are also legally required to share information from their registers with the local authority. As a minimum this includes:

- New Pupil and Deletion returns: notifying the local authority when a pupil's name is added to or deleted from the school admission register outside of standard transition times.
- Attendance returns: providing the local authority with the names and addresses of all pupils of compulsory school age who fail to attend school regularly or have been absent for a continuous period of ten school days where their absence has been recorded with one or more of the codes statistically classified as unauthorised (G, N, O, and/or U). Local authorities must agree the frequency

that attendance returns are to be provided with all schools in their area. This should be no less frequently than once per calendar month.

- Sickness returns: providing the local authority with the full name and address of all pupils of compulsory school age who have been recorded with code I (illness) and who the school has reasonable grounds to believe will miss 15 days consecutively or cumulatively because of sickness. Only one sickness return is required for a continuous period of sickness in a school year. This is to help the school and local authority to agree any provision needed to ensure continuity of education for pupils who cannot attend because of health needs, in line with the statutory guidance on education for children with health needs who cannot attend school.

9. Monitoring arrangements

This policy will be reviewed as guidance from the local authority and/or DfE is updated, and as a minimum annually. At every review, the policy will be approved by the Trust Board.

10. Links with other policies

This policy links to the following policies:

- Child protection and safeguarding policy
- Behaviour policy

11. Guidance Documents (include but are not limited to):

Working Together to Improve School Attendance (DfE 2024):
Working together to improve school attendance (applies from 19 August 2024) (publishing.service.gov.uk)

Supporting pupils at school with medical conditions (DfE December 2015):
https://www.gov.uk/government/publications/supporting-pupils-at-school-with-medical-conditions--3

Education for children with health needs who cannot attend school (DfE January 2013):
https://www.gov.uk/government/publications/education-for-children-with-health-needs-who-cannot-attend-school

Mental Health issues affecting a pupil's attendance (DfE February 2023):
Mental health issues affecting a pupil's attendance: guidance for schools - GOV.UK (www.gov.uk)
Arranging education for children with who cannot attend school because of health needs (DfE December 2023):
Arranging education for children who cannot attend school because of health needs (publishing.service.gov.uk)

Keeping children safe in education (DfE September 2022):
https://www.gov.uk/government/publications/keeping-children-safe-in-education--2

School attendance parental responsibility measures (DfE January 2015):
https://www.gov.uk/government/publications/parental-responsibility-measures-for-behaviour-and-attendance

School census guidance and regulation:
https://www.gov.uk/education/school-censuses-and-slasc

School suspensions and permanent exclusions:
https://www.gov.uk/government/publications/school-exclusion

Home to school travel and transport guidance (DfE July 2014):

https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance

Appendix 1: attendance codes

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

Code	Definition	Scenario
/	Present (am)	Pupil is present at morning registration
****	Present (pm)	Pupil is present at afternoon registration
L	Late arrival	Pupil arrives late before register has closed
Attending a place other than the school		
K	Attending education provision arranged by the local authority	Pupil is attending a place other than a school at which they are registered, for educational provision arranged by the local authority
V	Attending an educational visit or trip	Pupil is on an educational visit/trip organised or approved by the school
P	Participating in a sporting activity	Pupil is participating in a supervised sporting activity approved by the school
W	Attending work experience	Pupil is on an approved work experience placement
B	Attending any other approved educational activity	Pupil is attending a place for an approved educational activity that is not a sporting activity or work experience
D	Dual registered	Pupil is attending a session at another setting where they are also registered
Absent – leave of absence		
C1	Participating in a regulated performance or undertaking regulated employment abroad	Pupil is undertaking employment (paid or unpaid) during school hours, approved by the school
M	Medical/dental appointment	Pupil is at a medical or dental appointment
J1	Interview	Pupil has an interview with a prospective employer/educational establishment
S	Study leave	Pupil has been granted leave of absence to study for a

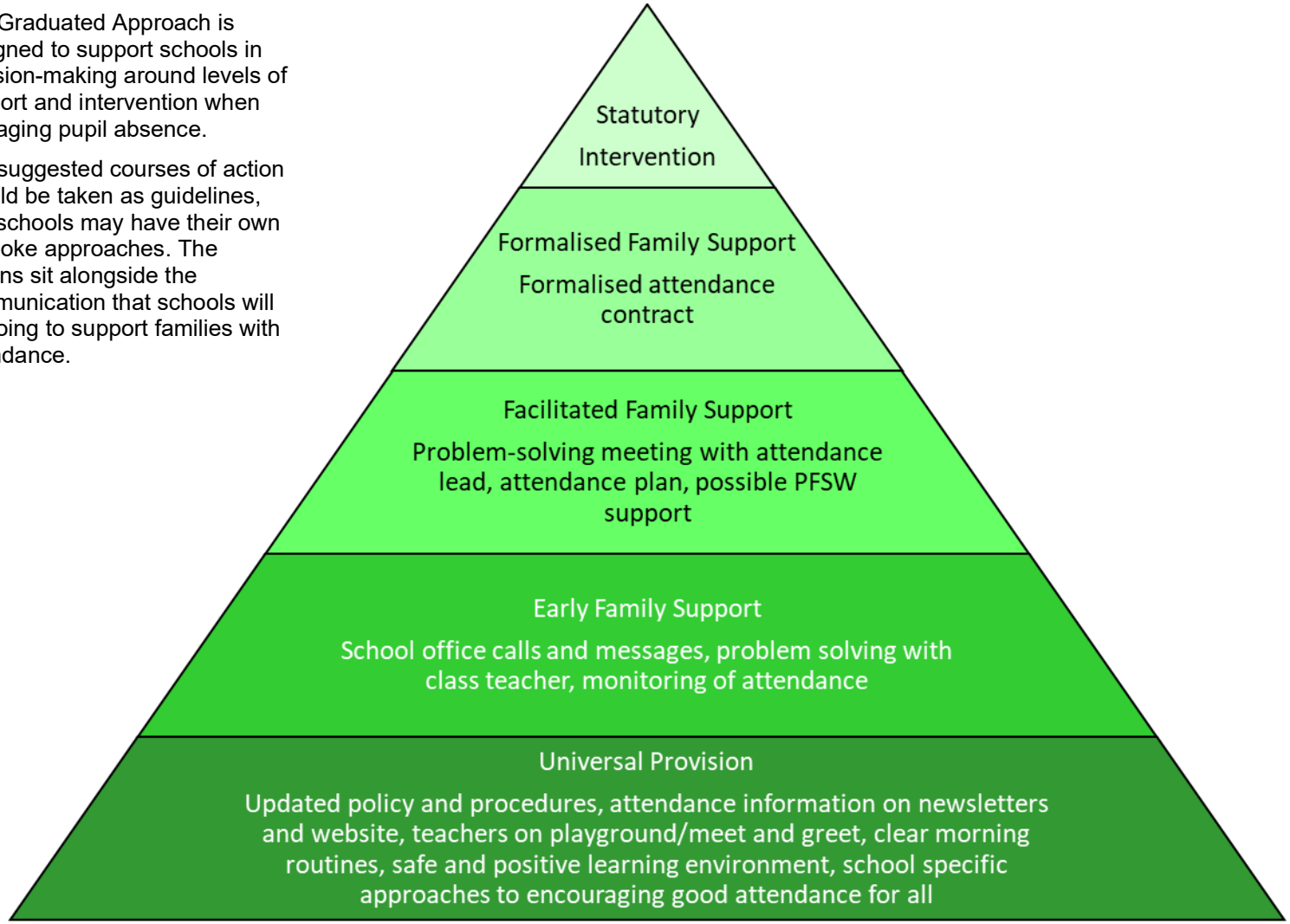
		public examination
X	Not required to be in school	Pupil of non-compulsory school age is not required to attend
C2	Part-time timetable	Pupil is not in school due to having a part-time timetable
C	Exceptional circumstances	Pupil has been granted a leave of absence due to exceptional circumstances
Absent – other authorised reasons		
T	Parent travelling for occupational purposes	Pupil is a 'mobile child' who is travelling with their parent(s) who are travelling for occupational purposes
R	Religious observance	Pupil is taking part in a day of religious observance
I	Illness (not medical or dental appointment)	Pupil is unable to attend due to illness (either related to physical or mental health)
E	Suspended or excluded	Pupil has been suspended or excluded from school and no alternative provision has been made
Absent – unable to attend school because of unavoidable cause		
Q	Lack of access arrangements	Pupil is unable to attend school because the local authority has failed to make access arrangements to enable attendance at school
Y1	Transport not available	Pupil is unable to attend because school is not within walking distance of their home and the transport normally provided is not available
Y2	Widespread disruption to travel	Pupil is unable to attend because of widespread disruption to travel caused by a local, national or international emergency
Y3	Part of school premises closed	Pupil is unable to attend because they cannot practicably be accommodated in the part of the premises that remains open
Y4	Whole school site unexpectedly closed	Every pupil absent as the school is closed unexpectedly (e.g. due to adverse weather)

Y5	Criminal justice detention	Pupil is unable to attend as they are: • In police detention • Remanded to youth detention, awaiting trial or sentencing, or • Detained under a sentence of detention
Y6	Public health guidance or law	Pupil's travel to or attendance at the school would be prohibited under public health guidance or law
Y7	Any other unavoidable cause	To be used where an unavoidable cause is not covered by the other codes
Absent – unauthorised absence		
G	Holiday not granted by the school	Pupil is absent for the purpose of a holiday, not approved by the school
N	Reason for absence not yet established	Reason for absence has not been established before the register closes
O	Absent in other or unknown circumstances	No reason for absence has been established, or the school isn't satisfied that the reason given would be recorded using one of the codes for authorised absence
U	Arrived in school after registration closed	Pupil has arrived late, after the register has closed but before the end of session
Administrative codes		
Z	Prospective pupil not on admission register	Pupil has not joined school yet but has been registered
#	Planned whole-school closure	Whole-school closures that are known and planned in advance, including school holidays

The Partnership Trust Graduated Approach to School Absence

The Graduated Approach is designed to support schools in decision-making around levels of support and intervention when managing pupil absence.

The suggested courses of action should be taken as guidelines, and schools may have their own bespoke approaches. The actions sit alongside the communication that schools will be doing to support families with attendance.



School has exhausted all strategies to support an improvement in attendance. Attendance is still not improving over time or is declining. Engagement from family is low.
Persistent absence with no improvement, or attendance continues to decline, despite informal work with family.
Attendance is falling and is has reached or is in danger of reaching persistent absence level (below 90%)
Attendance is below 95% and/or is declining Possible emerging patterns Possible historic concerns around attendance
95 – 100% Attendance No historic attendance concerns

Appendix 3: The Partnership Trust's definition of 'exceptional circumstances'

Exceptional circumstances
This information seeks to help clarify the meaning of 'exceptional circumstances' and outline some guiding principles to aid the head teacher's decision-making process while giving parents a consistent and fair approach to requests for any term-time absence.

The fundamental principles for defining 'exceptional circumstances' are that they are 'rare, significant, unavoidable and short'.

Guiding principles
Term times are for education. This is the priority. Children and families have 175 days off school to spend time together, including weekends and school holidays. The head teacher will rightly prioritise attendance. The default school policy is that absences will not be granted during term time and will only be authorised in exceptional circumstances.

The decision to authorise a pupil's absence is at the headteacher's discretion based on their assessment and merits of each request.

If an event can be reasonably scheduled outside of term time then it would not be normal to authorise absence for such an event, for example:

- holidays or other travel, including as a result of parental work commitments, are therefore not considered exceptional circumstances;
- leave which is taken because of the availability of cheaper fares or other costs is not regarded as exceptional circumstances;
- claims of illness as a reason for a delayed return, particularly after normal school holidays will not be considered unless accompanied by travel tickets dated before the school opens or other agreed dates. Medical documentation from abroad will not normally be accepted unless accompanied by travel documents indicating travel dates prior to school reopening.

Absences to visit seriously-ill relatives or for a bereavement of a close family member are usually considered to amount to 'exceptional circumstances', but for the funeral service and travelling time only, not for extended leave. Absence will only be authorised if the head teacher is satisfied that the circumstances are truly exceptional.

Absences to attend parents' own wedding may be exceptional if the head teacher is satisfied that there is a persuasive reason for holding the wedding during term time and there will be an onus on parents to show clear evidence that this absence is absolutely an exceptional circumstance.

In difficult family situations the headteacher may use their discretion in granting leave and each case should be addressed on its individual merits, considering the overall welfare of the child.

Absences for important religious observances are often considered, but only for the ceremony and travelling time, again, not for extended leave. This is intended for one-off situations rather than regular or recurring events.

The needs of the families of service personnel will be considered if they are returning from long operational tours that prevent contact during scheduled holiday time.

Reasonable adjustments for pupils with special educational needs and/or disabilities will be made and may result in a leave being grated as an exceptional circumstance.

Families may need time together to recover from a trauma or crisis, including where an absence from school is recommended by a health professional as part of a parent or child's rehabilitation from a medical or emotional issue.

When making absence-related decisions, the head teacher will consider:

- A pupil's record of attendance for the current and previous academic years;
- Time of absence being taken in the school year. If the request is made to extend the beginning or end of a school holiday period, it is unlikely to be considered exceptional

The head teacher can determine the length of the authorised absence as well as whether a particular absence is authorised.

The following factors may also help the head teacher to reach a decision:

- The number of school days being missed;
- Any exceptional term-time leave requested and/or taken in previous academic years for a similar purpose;
- Whether alternative care arrangements been considered by the parent to limit the time away from school;
- Impact on any interventions, assessments or referrals being undertaken with the child or family, for example, family support, social care assessments, CAMHS, SEND;
- The potential impact that the absence will have on the child;
- Whether the absence falls within any key stage national tests or exams.

How to tell the school about exceptional circumstances:

- A parent or carer should complete a request for a leave of absence form in good time. The parent with whom the pupil normally resides must make the application.
- Leave may only be granted where proper procedures have been followed and the permission given.
- Tickets and/or other travel arrangements should not be booked prior to discussion with and agreement of the school.
- **Parents/carers should not confuse telling the school with having permission**.
- Where the school and the parents fail to reach an agreement and the child is then absent from school, the absence will be marked as unauthorised. Unauthorised absences are an offence and can be liable to legal action or a fixed penalty fine.
- Extended absences may put your child's school place at risk.
- In the event of an emergency when you have to take leave urgently, taking children, then you should inform the school or have the school informed immediately. Leave of absence cannot be granted retrospectively and evidence other than your word may be asked for.

Appendix 4: Model Letters

These model letters are designed to support schools with their communication to parents. They can be amended and adapted to suit each school, and schools are free to use their own attendance letters if these work well for them.

Letter 1 – Concerns about a pupil's high level of absence

Absences from school

We've noticed that [pupil name] has missed a lot of school recently. We're concerned that they are missing out on key experiences because of this, and that they risk falling behind.

[Name] has missed [insert number of days missed and over what time period].

We know that every family's circumstances are different, and want to work with you to provide the best education for your child. We are aware of [insert known reasons for absence]. Please let us know if there's anything else going on at home or at school which might be making it difficult for [name] to attend regularly.

We want to make sure that we can support [name's] education in the best way possible, including looking into how we can help them to address gaps in learning due to absence.

Please contact the school office on [number] as soon as you can so we can arrange to discuss any reasons for these absences or helping [name] catch up on any missed schoolwork.

Yours sincerely,

[Name]

Headteacher

Letter 2 – Concerns about a pupil's unauthorised absence

Use this letter as the first step to address unauthorised absence.

Unauthorised absence from school

We've noticed that [name] has recently taken an unauthorised [absence/absences] from school.

[Name] has been absent from school for a total of [number] days on the following dates:

- [date]
- [date]
- [date]

It's important that [name] attends regularly, so that they can get the best out of their education.

We know that every family's circumstances are different and want to work with you to provide the best education for your child. Please let us know if there is anything going on at home or at school which might be making it difficult for [name] to attend regularly.

We want to make sure that we can support [name's] education in the best way possible, including looking into how we can help them to address gaps in learning due to absence.

Please contact the school office on [number] as soon as you can so we can arrange to discuss any reasons for these absences and helping [name] catch up on any missed schoolwork.

Please note that unauthorised absences can result in a penalty notice being issued if your child has more than 10 sessions of unauthorised absence (5 school days) within a rolling ten week period. You can find more information about penalty notices in our school attendance policy. Copies of the policy are on the school website, or available from the school office.

Yours sincerely,

[Name]

Headteacher

Letter 3 – Invite parents/carers in to discuss attendance

Use this letter to invite parents/carers in to have a discussion about attendance

Invitation for a meeting to discuss attendance

We would like to invite you to come in to have a chat about [name]'s attendance at school. We would like to find out whether there is anything:

- Happening at school that makes it difficult for [name] to attend
- Happening at home that we can help with, or that you think we should be aware of
- We can do to make it easier for [name] to attend school regularly

Please contact the school office on [number] as soon as you can so we can arrange to discuss the above questions, and how we can work together to help [name] improve their attendance.

Yours sincerely,

[Name]

Headteacher

Letter 4 – Invite parents/carers of a pupil with SEND in to discuss attendance

Use this letter to invite parents/carers in to have a discussion about attendance

Invitation for a meeting to discuss attendance

We would like to invite you to come in to have a chat about [name]'s attendance at school. We would like to find out whether there is/are:

- Anything happening at school that makes it difficult for [name] to attend
- Any issues around the level of support we are offering [name] to support their special educational needs
- Anything happening at home that we can help with, or that you think we should be aware of
- Anything we can do to make it easier for [name] to attend school regularly

Please contact the school office on [number] as soon as you can so we can arrange to discuss any reasons for these absences, and what support we can offer to make regular attendance easier.

Yours sincerely,

[Name]

Headteacher

Letter 5 – Formal notice about unauthorised absence

Use this letter if:

- You have previously tried to address a pupil's unauthorised absence
- The pupil's unauthorised absence has reached the national threshold for the use of a penalty notice

Unauthorised absence

We got in touch with you on [date] to discuss [name] taking unauthorised absence. Since then, we haven't seen much improvement in [name]'s rate of attendance. They missed the following days of school:

- [date]
- [date]
- [date]

In line with our attendance policy, and the local authority's code of practice, we have to now request a penalty notice be issued by the local authority.

When you receive the notice, you must pay:

- £80, if it's paid within 21 days
- £160, if it's paid after 21 days but within 28 days

If payment is not made within 28 days, the local authority may decide to pursue further legal action.

Continue with:

We would like to invite you to come for a discussion about [name]'s attendance at school. We would like to find out whether there is anything:

- Happening at school that makes it difficult for [name] to attend
- Happening at home that we can help with, or that you think we should be aware of
- We can do to make it easier for [name] to attend school regularly

Please contact the school office on [number] as soon as you can so we can arrange to discuss any reasons for these absences, and how we can work together to help [name] improve their attendance at school.

Yours sincerely,

[Name]

Headteacher

Letter 6 – After an unauthorised holiday

Holiday absence

I'm writing about your action in taking [name(s)] out of school for a family holiday between [date] and [date].

We're treating this as an unauthorised absence because [explain the evidence you have].

At [school name] we believe that regular attendance throughout the year is essential to every child's success and fulfilment.

We have the power to request that the local authority issue a penalty notice for unauthorised term-time holidays.

If you're issued with a penalty notice, you must pay:

- £80, if it's paid within 21 days of receiving the notice
- £160, if it's paid after 21 days but within 28 days

If you don't pay the penalty within 28 days, the local authority could pursue legal action.

Continue with:

Absences like these could have a detrimental effect on [name(s)] education.

We would like to arrange a meeting so that we can discuss this further. Please contact the school office as soon as possible on [phone number].

Yours sincerely,

[Name]

Headteacher

Letter 7 – Concern about punctuality

Poor punctuality

I'm writing to you because [name] has been late to school [number] times in [timeframe].

They have arrived at school after the register had closed on the following dates:

- [date]
- [date]
- [date]

They also arrived at school late (but before the register had closed) on the following dates:

- [date]
- [date]
- [date]

The school day begins promptly at [time] and registration closes at [time]. Afternoon registration takes place between [time slot].

Arriving promptly makes sure that your child doesn't miss schoolwork, and prevents disruption to the teacher and other pupils. Persistent lateness can lead to a significant loss in learning time.

Continue with:

We would like to invite you to come in to have a chat about [name]'s punctuality. We would like to find out whether there is anything:

- Happening at school that makes it difficult for [name] to get to school on time
- Happening at home that we can help with, or that you think we should be aware of
- We can do to make it easier for [name] to be on time for school

Please contact the school office on [number] to arrange a meeting.

Yours sincerely,

[Name]

Headteacher

Appendix 5

Bath & North East Somerset Council

Improving People's Lives

THE USE OF PENALTY NOTICES IN CASES OF IRREGULAR SCHOOL ATTENDANCE

CODE OF CONDUCT

The use of Penalty Notices in cases of Irregular School Attendance

Education (Penalty Notices) Regulations 2007

1. The purpose of this local code of conduct is to ensure that penalty notices for school absence are issued in a manner that is fair and consistent across Bath and North East Somerset. The code sets out the arrangements for administering penalty notices in Bath and North East Somerset and must be adhered to by anyone issuing a penalty notice for school absence in this area. The code complies with relevant regulations and the Department for Education's national framework for penalty notices as set out in the 'Working together to improve school attendance' guidance.

Consultation

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

Legal basis

3. Penalty notices may be issued to a parent as an alternative to prosecution for irregular school attendance under s444 of the Education Act 1996. They can only be issued in relation to pupils of compulsory school age in maintained schools, pupil referral units, academy schools, AP academies, and certain off-site places as set out in section 444A(1)(b).

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

5. A penalty notice can only be issued by an authorised officer: that is, a headteacher or a deputy or assistant head authorised by them, an authorised local authority officer or a police constable.

6. The national framework for penalty notices is published in statutory guidance 'Working together to improve school attendance'. It provides further national guidance on the operation of penalty notice schemes for school absence in England.

7. A parent includes any person who is not a parent but who has parental responsibility for the child or who has care of the child, as set out in section 576 of the Education Act 1996. Penalty notices will usually be issued to the parent or parents with day to day responsibility for the pupil's attendance or the parent or parents who have allowed the absence (regardless of which parent has applied for a leave of absence).

Rationale

8. Research published by the Department for Education in May 2022 found pupils with higher attainment at KS2 and KS4 had lower levels of absence over the key stage compared to those with lower attainment.

- Pupils who did not achieve the expected standard in reading, writing and maths in 2019 had an overall absence rate of 4.7% over the key stage, compared with 3.5% among pupils who achieved the expected standard and 2.7% among those who achieved the higher standard.

- Pupils who did not achieve grade 9 to 4 in English and maths GCSEs in 2019 had an overall absence rate of 8.8% over the key stage, compared with 5.2% among pupils who achieved a grade 4 and 3.7% among pupils who achieved grade 9 to 5 in both English and maths.

9. For the most vulnerable pupils, regular attendance is also an important protective factor and often the best opportunity for needs to be identified and support provided.

10. Where difficulties arise with school attendance, professionals should take a 'support first' approach in line with the DfE's 'Working together to improve school attendance' guidance, only resorting to legal

enforcement when necessary. The aim is that the need for legal enforcement is reduced by taking a supportive approach to tackle the barriers to attendance and intervening early before absence becomes entrenched.

11. The national framework for penalty notices is based on the principles that penalty notices should only be used in cases where:

- support is not appropriate (e.g. a term time holiday, in cases where an excluded pupil is found in a public place during school hours without justifiable reason during the first 5 school days of any suspension or permanent exclusion whether from a maintained school, academy or a free school) or where support has been provided and not engaged with or not worked, and
- they are the most appropriate tool to change parental behaviour and improve attendance for that particular family.

When may a penalty notice for absence be appropriate?

12. When the national threshold has been met: when a school becomes aware that the national threshold has been met, they must consider whether a penalty notice can and should be issued or not. The national threshold has been met when a pupil has been recorded as absent for 10 sessions (usually equivalent to 5 school days) within 10 school weeks[4], with one of, or a combination of the following codes:

    (a) code G (the pupil is absent without leave for the purpose of a holiday),
    (b) code O (none of the other rows of Table 3 in regulation 10(3) of the School Attendance (Pupil Registration) (England) Regulations 2024 applies), and
    (c) code U (the pupil attended after the taking of the register ended but before the end of the session, where no other code applies)

    If repeated penalty notices are being issued and they are not working to change behaviour they are unlikely to be most appropriate tool. The national framework for penalty notices sets out that a maximum of 2 penalty notices per child, per parent can be issued within a rolling 3-year period.

13. 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.

14. If the national threshold is met for a third time (or subsequent times) within 3 years, Bath & North East Somerset Council will contemplate proceedings for an offence under section 444 of the Education Act 1996, or other legal interventions available to the Local Authority.

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

Key considerations prior to the issue of a Penalty Notice for school absence

16. The following considerations will be made before issuing a penalty notice to ensure consistency of approach:

    - In cases where support is not appropriate (for example, for holidays in term time), consider on a case by case basis:

[4] A school week means any week (Monday to Sunday) in which there is at least one school session. The 10 school-week period when the national threshold applies may span different terms or school years (e.g. 2 sessions of unauthorised absence in the Summer Term and a further 8 within the Autumn Term).

- Is a penalty notice the best available tool to improve attendance and change parental behaviour for this particular family or would one of the other legal interventions be more appropriate?
- Is issuing a penalty notice in this case appropriate after considering any obligations under the Equality Act 2010
- (For local authorities only) Is it in the public interest to issue a penalty notice in this case given the local authority would be accepting responsibility for any resulting prosecution for the original offence in cases of non-payment?

- In cases where support is appropriate, consider on a case-by-case basis:

  - Has sufficient support already been provided? Sufficient support will usually include but not limited to:
    - Clear communication with the family
    - Home visits
    - Informal meetings and general information gathering to understand the barriers preventing good attendance
    - Formal meetings where plans have been agreed and shared with all parties
    - Any other support that is deemed appropriate to meet the individual needs of the child

  - Is a penalty notice the best available tool to improve attendance and change parental behaviour for this particular family or would one of the other legal interventions be more appropriate?
  - Is issuing a penalty notice in this case appropriate after considering any obligations under the Equality Act 2010
  - Is it in the public interest to issue a penalty notice in this case given the local authority would be responsible for any resulting prosecution for the original offence in cases of non-payment?

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

Notice to improve

17. A notice to improve is a final opportunity for a parent to engage in support and improve attendance before a penalty notice is issued. If the national threshold has been met and support is appropriate but offers of support have not been engaged with by the parent or have not worked, a notice to improve should usually be sent to give parents a final chance to engage in support. An authorised officer can choose not to use one in any case, including cases where support is appropriate, but they do not expect a notice to improve would have any impact on a parent's behaviour (e.g. because the parent has already received one for a similar offence).

18. The notice to improve will be issued by the school at which the child is registered. The notice to improve should include a time period in which you are expecting to see an improvement in the child's attendance. The recommended length for the improvement period should be around 3 weeks but no longer than 6 weeks. However, schools can use a flexible improvement period so that it can be varied in individual cases. Where it is obvious within the first week that there is no improvement there would be no need to delay until week 6 to review. If at the review there have been no further unauthorised absences then no further action will be taken. However, should there be any further accrued unauthorised absences within the review period, then a request to issue a PN must be completed and submitted via INSERT LINK TO PORTAL or advise GLOBALscape.

Schools are required to notify the LA of every Notice to Improve that has been issued, whether it resulted in the request for a PN to be issued or not. This data should be provided at the end of each term by completing Notice to Improve Issue log.

How authorised officers will work together

19. Authorised officers should work together to ensure that penalty notices are used when likely to be effective and change behaviour.

20. An authorised officer is a headteacher or someone authorised by them (a deputy or assistant head), a local authority officer or the police. In Bath and North East Somerset the decisions on whether to issue a penalty notice will be made by the local authority's Authorised Officer with delegated powers in accordance with the terms of this code and Bath & North East Somerset Council's policy 'Legal Action to Enforce School Attendance'.

21. To monitor consistency and to avoid duplication, the Bath & North East Somerset Council Attendance & Welfare Support Service (A&WSS) will issue and administer penalty notices in response to requests from headteachers, principals or deputy/assistant headteachers (if authorised by the headteacher) of LA maintained schools, academies and free schools providing that such requests are made using the Penalty Notice Request form, correctly completed, with an extract from the mandatory attendance register, supporting documentary evidence, signed and dated.

22. Avon and Somerset Police Constabulary may request that a penalty notice be issued, although normally, if they are concerned about a pupil's attendance at school, the matter should be referred to a pupil's school or to the Attendance & Welfare Support Service for further consideration. In any case a penalty notice will only be issued where a pupil's absence is unauthorised.

23. Where the school or police request that the LA issues the penalty notice, they need to:

- Ensure the threshold has been met i.e. 10 sessions (usually equivalent to 5 school days) of unauthorised absence within a rolling 10 school week period.
- Request the Penalty Notice within 6 weeks following the period of unauthorised absence and shared with the LA via a secure share point.
- Accurately complete the Penalty Notice Request form which must be signed and dated, with an extract from the mandatory attendance register, supporting documentary evidence to demonstrate support has been offered where appropriate to do so (this would not be appropriate for example for a holiday in term time).
- For leave in term time: Copy of Leave Request Form completed by parent/ email from parent/ telephone message/transcript from parent informing of leave/ holiday (if one is received).
- For leave in term time: Copy of Letter/email to parent to inform request will not be authorised and that a Penalty Notice may be requested.
- In the case of a request from school their policy must state that in certain circumstances the school may request a penalty notice be issued.

The LA will contact school if there are any in accuracies with the request form that need to be rectified before a decision on whether a penalty notice should be issued or not.

24. Where there is dispute as to whether proportionate support has been provided, and whether that support has worked or not, authorised officers are expected to defer to the local authority's judgement about whether sufficient support has been provided before issuing a penalty notice.

25. Bath and North East Somerset Council will inform the school via email about whether penalty notices are paid, withdrawn or prosecuted for non-payment.

26. Where pupils move between local authority areas, Bath and North East Somerset can be contacted on crossborder.penaltynotice@bathnes.gov.uk to find out if penalty notices have been issued previously.

27. Where pupils attend school in Bath and North East Somerset but live in a different LA, Bath and North East Somerset Council will make contact with the child's home LA to establish what support is being provided by the home LA and to gather any key information that may have a bearing on the decision to issue a penalty notice.

28. Once a notice has been issued, the penalty to be paid shall be:

- For a first penalty notice £80 where the amount is paid within 21 days of receipt of the notice;
- For a first penalty notice £160 where the amount is paid within 28 days of receipt of the notice.
- For any second penalty notice issued to the same parent for the same child within a rolling 3 year period being charged at a higher rate of £160 with no option for this second offence to be discharged at the lower rate of £80.

The penalty shall be payable to Bath & North East Somerset Council. There is no right of appeal by parents against a penalty notice.

If the penalty is not paid in full by the end of the 28 day period, Bath & North East Somerset Council must decide either to prosecute for the original offence to which the notice applies, or withdraw the notice.

A penalty notice may be withdrawn if the LA determines that:

- it was issued outside of the terms of this code, or
- It ought not to have been issued to the person named as the recipient.

A penalty notice cannot be withdrawn because of an inability to pay.

Where a penalty notice has been withdrawn in accordance with the above, notice of the withdrawal shall be given to the recipient and any amount paid by way of penalty in pursuance of that notice shall be repaid to the person who paid it. No proceedings shall be continued or instituted against the recipient for the offence in connection with which the withdrawn notice was issued or for an offence under Section 444(1A) of the Education Act 1996 arising out of the same circumstances.

Payment of Penalty Notices

The penalty notice will include details about the arrangements for payment.

This document is regularly reviewed and must have regard for any legislative changes or amendments.