



WESTFIELD PRIMARY SCHOOL ATTENDANCE POLICY

February 2016

Aims

At Westfield Primary School we aim for our pupils to attain the highest levels of achievement and to foster their development so that they benefit fully from the opportunities and responsibilities presented to them. As part of this we consider excellent attendance at school to be vital. Schools are open for 190 days each year and all of our pupils have the right to these 190 days of learning, teaching and school experience.

It follows, therefore, that all children should be at school, on time, every day that the school is open, unless the reason for absence is unavoidable.

The Role of Parents/Carers

Parents of registered pupils have a legal duty under the Education Act 1996 to make sure that children of compulsory school age attend school punctually, regularly, properly dressed and equipped and in a fit condition to learn. Permitting unauthorised absence from school is an offence and parents may be reported to the Local Authority if problems cannot be resolved by agreement.

It is accepted that young pupils tend to be accountable to their parents and do not usually truant from school. However, all children are occasionally reluctant to attend school and disaffected pupils may exhibit symptoms of illness, whether real or imagined, and be allowed to remain at home. Pupils who experience difficulties need support and understanding. Any problems with regular attendance are best sorted out 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 makes things worse.

The Role of the School

Staff will endeavour to encourage good attendance and punctuality through example. Attendance is the responsibility of all staff. The school expects good attendance and punctuality and will investigate all lateness and absenteeism. Staff will respond firmly and consistently.

The Role of the Attendance Improvement Officer (AIO)

The AIO regularly visits the school to meet with the Administration Manager and/or Headteacher. The purpose of the visits is to identify students who are experiencing attendance difficulties and agree on focused, time-limited action which needs to be taken by the school and/or AIO.

Registration

Pupils are expected to be at the 'Meeting Place' at 8.40am, ready to enter the classrooms at 8.45am for registration. A pupil will be recorded as late, with a code of 'L', if they arrive after 8.45am and via the office because the rest of their class has already gone into school. Parents of children arriving late at school complete a 'Late' form giving an explanation. Registers remain open until 8.55am for Reception to Year 6. The register for Nursery remains open, but parents are encouraged to help their children develop good habits by ensuring their children attend regularly and punctually. Afternoon registration is at 1.05pm.

Registers are completed electronically in the classroom in SIMs. Reasons for absence are recorded in a Message Diary in the office.

Authorised and Unauthorised Absence

Every half-day absence from school has to be classified by the school (not by the parents), as either Authorised or Unauthorised. This is why information about the reason for each absence is always required, in writing.

An absence from school is an authorised one if:

- The pupil was absent with permission from the Headteacher
- The pupil was unwell, or prevented from attending by an unavoidable cause
- The absence occurred on a day exclusively set aside for religious observance by the religious body to which the child's parents belong
- There is a family bereavement
- The pupil is involved in an exceptional special occasion

Unauthorised absences are those which the school does not consider reasonable and for which no "leave" has been granted. This includes:

- No explanation for absence has been forthcoming
- The school is dissatisfied with the explanation
- The pupil stays at home to help look after parents or younger siblings (other than in exceptional circumstances)
- The pupil is away from school on a family holiday without an authorisation from the school
- Any pupil arriving too late to be entered into the Register

When Problems Arise

Parents/carers are expected to contact the school at an early stage and work with staff in resolving any problems together. This is nearly always successful. If difficulties cannot be sorted out in this way the school may refer the child to the AIO. The AIO will also try to resolve the situation by agreement but parents/carers who fail to respond to requests by the school to send their children to school or who take unauthorised holidays during term time may be issued with a Fixed Penalty Notice by the Local Education Authority.

The Notices will be issued at the discretion of the Headteacher and will be applied to parents whose children have at least 15 sessions of unauthorised absence in the previous and/or current term. The fines will apply to cases where the Parent/Guardian is able but unwilling to ensure the attendance of the student. Fixed Penalty Notices will operate following the Hertfordshire County Council Guidance for Schools (see attached Appendix).

Parents, carers or children may wish to contact the AIO themselves to ask for help or information. They are independent of the school and will give impartial advice. The telephone number is available from the school office or by contacting the Local Authority.

The school puts a lot of effort into re-integrating pupils who have had extended absence, for whatever reason, and will work closely with the parents/carers to provide support.

Parents whose first language is not English, or who have literacy difficulties, will be offered appropriate support in matters of school communication.

Procedures

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

- Parents/carers are asked to inform the school either by letter or phone if a child is absent. Absences for illness and medical/dental appointments will be authorised. Wherever possible medical appointments should be made to take place outside of school hours.
- If a teacher has concerns about an absence or a pupil is absent and no communication has been received, then the school will attempt to contact the parents/carers.
- When a pupil returns to school after an absence, they should bring a letter from the parent/carer explaining the reason for absence. The absence will not be authorised until this note of explanation is received and even then the authorisation is at the discretion of the Headteacher. Notes from parents are kept in the office and then transferred to the pupil's personal file. Telephone messages regarding lateness and absence are recorded in the daily diary.
- Pupils requiring Leave of Absence to take part in examinations, eg music, ballet, etc, or other legitimate educational activities will generally have absence authorised.
- Pupils' attendance figures, including unauthorised absences, will be recorded on their Annual Report.

Family Holidays and Other Absences

Absences in order to take family holidays and outings will **not** be authorised except in very exceptional circumstances. The Governors, in conjunction with those from the other Berkhamsted schools, have agreed the following **may**, in some cases, be viewed as "exceptional circumstances":

- Family/carer funeral or trauma
- Weddings (immediate family only – 1 day maximum)
- Religious festivals
- Visiting new schools prior to relocation

A request must be made at least 3 weeks before departure (except in the case of funerals when this time constraint does not apply) by completion of a "Leave of Absence" form obtainable from the school office. The parents/carers may be invited to attend a meeting with the Headteacher to discuss the request. All other absences will be recorded as unauthorised unless special permission has been granted by the Headteacher. Should the child remain absent beyond the time granted, any further absence will be recorded as "Unauthorised".

Parents must agree with the school a return date and should they fail to return within 10 days of that date, the pupil will be deleted from the school's Register, thus losing their place. It follows that the parents/carers should contact the school immediately if their return is delayed or if the child is unable to attend the school by reason of illness or other unavoidable circumstances.

Strategies for Promoting Attendance

Westfield Primary School offers an environment in which pupils feel valued and welcomed. The school's ethos must demonstrate that pupils feel that their presence in school is important, that they will be missed when they are absent or late, and that follow-up action will be taken.

Attendance registers are monitored every half-term and analysed in order to identify attendance patterns of individual pupils, correlate attendance and standards of achievement, and inform policy and practice.

Parents are regularly reminded via newsletters, prospectus, etc, of the importance of good attendance. School holiday dates are published well in advance and as soon as they are known in order to assist parents in booking family holidays outside of term times.

Pupils who are absent for an extended period of authorised absence will, where appropriate, have work sent home to them, and will be supported in school on their return.

The Local Authority issues special certificates to pupils who achieve 100% attendance and almost 100% attendance over the school year. These certificates are awarded in the end of term assembly.

Policy Review

This policy will be reviewed as part of the school's policy cycle or following an agreed change to practice. This will be done by the Headteacher in consultation with Staff and Governors.

APPENDIX

Hertfordshire County Council

**Penalty Notices
Unauthorised Absence
(Truancy)**

Hertfordshire Code of Conduct

and

**Guidance for Schools
and Academies**

February 2016



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1. Local Code of Conduct – Penalty Notices for Unauthorised Absence (Truancy)

Introduction

Section 23 of the Anti-Social Behaviour Act 2003 empowers the police, designated Local Authority Officers and Headteachers and Deputy and Assistant Headteachers authorised by them to issue penalty notices in cases of unauthorised absence (truancy) of pupils of statutory school age.

The government requires Local Authorities to issue a Code of Conduct to which all parties involved must adhere. Penalty notices may be issued only in accordance with the terms of the Code of Conduct.

The purpose of the Code of Conduct is to ensure that:

- the powers are applied consistently and fairly
- duplicate notices are not issued
- issuing a notice does not conflict with proceedings proposed or being taken by the Local Authority under section 444 of the Education Act 1996
- suitable arrangements are in place for the administration of the penalty notice scheme.

The Law

Section 23 of the Anti-Social Behaviour Act 2003 added sections 444A and 444B to section 444 of the Education Act 1996. These sections introduced penalty notices as an alternative to prosecution and enable parents to discharge potential liability for that offence by paying a penalty. The Education (Penalty Notices) (England) Regulations 2007 set out the framework for the operation of the scheme.

All those defined as a parent under section 576 of the Education Act 1996 are considered to be parents for the purpose of these provisions.

As with prosecutions under section 444 of the Education Act 1996 a penalty notice may be issued to each parent liable for the offence in respect of each child.

Penalty notices apply to parents of children of compulsory school age who are registered pupils at maintained schools, academies, Pupil Referral Units (Education Support Centres), City Technology Colleges, Studio Schools, UTCs and any other alternative education provision arranged under section 19 of The Education Act 1996.

Parents cannot be prosecuted for the offence for which the penalty notice was issued until after the final deadline for payment has passed and the penalty remains unpaid. Parents cannot be convicted of that offence if the penalty is paid in accordance with the notice.

The Local Authority will retain any revenue from penalty notices to cover the administration of the scheme and any legal actions arising from it.

Rationale

Regular and punctual attendance is a legal requirement for pupils registered at schools, academies or other maintained or alternative provision.

A penalty notice may be a suitable intervention in circumstances of unauthorised absence where the school considers a parent is capable of securing their child's regular attendance. It may be particularly effective at an early stage before attendance problems become entrenched.

Circumstances in which a penalty notice may be issued

- Penalty notices may only be issued in cases of unauthorised absence
- The pupil must have at least **15 sessions** (half days) unauthorised absence in the current and/or previous term
- The school must have sent a formal warning to the parent
- The school/academy/police or Attendance Improvement Officer considers that issuing a penalty notice could avoid further absence
- Issuing a penalty notice does not conflict with any other legal action being taken
- A maximum of **two** separate penalty notices will be issued to a parent within any twelve month period
- Penalty notices will be issued for pupils of compulsory school age, up to the end of the spring term of year 11
- A penalty notice will not be issued in respect of a pupil who is looked after by the Local Authority without the prior agreement of the Central Attendance and Employment Support Team Manager on behalf of the County Lead for Attendance

Responsibilities of the Local Authority for issuing penalty notices

Primary responsibility for issuing penalty notices rests with the Local Authority and may not be delegated. Schools, academies and the police may issue penalty notices if they wish to do so but any notices issued by them **must** comply with the Local Authority Code of Conduct and a copy of any penalty notice issued must be provided to the Local Authority.

In Hertfordshire all parties agree that the Integrated Service for Learning Attendance Teams administer the scheme and issue penalty notices on behalf of police, schools, academies and other settings to ensure fairness and consistency and in the event that subsequent legal action may need to be taken.

The Local Authority receives applications to issue penalty notices from schools, academies and the police. Penalty notices will be issued provided that:

- the circumstances of the absence meet the requirements of the Code of Conduct
- the information is provided in the specified manner
- the request is received not more than 10 school days after the final absence cited

The Local Authority retains revenue from the scheme to cover the costs of issuing and enforcing notices and prosecuting recipients who do not pay.

Appealing against the issue of penalty notices

There is no statutory right of appeal once a penalty notice has been issued. The Local Authority may withdraw a notice if it has been issued incorrectly. If the penalty notice has been issued in accordance with Hertfordshire's Code of Conduct there is no facility to overturn the decision to issue the notice.

Effect of issuing penalty notices

If the penalty is not paid in full before the expiry of the period for paying it the Local Authority named in the notice shall either institute proceedings against the recipient for the offence or shall withdraw the notice.

Payment of penalty notices

The amount payable is £60 (per parent) if paid within 21 days or £120 (per parent) if paid after 21 days but within 28 days of receipt of the notice.

Separate notices are issued to each parent in respect of each child.

Penalty notices are sent by first class post and are deemed to have been received on the second day after posting.

Arrangements for payment are detailed on the penalty notice and payment by cheque, postal order and by debit/credit card is accepted.

Withdrawal of penalty notices

The Local Authority may withdraw penalty notices in circumstances where it determines that the notice:

- has not been issued in accordance with the Code of Conduct
- ought not to have been issued
- ought not to have been issued to the person named as the recipient
- has not been paid but it is not appropriate to prosecute the recipient for the offence

Prosecution of unpaid penalty notices

If the notice remains unpaid after the expiry of the payment period and the Local Authority has not withdrawn the notice, the Local Authority will prosecute for the offence under section 444 of the Education Act 1996.

All decisions to prosecute (or not) rest with the Local Authority

2. Responsibilities of schools and academies for penalty notices

Before using penalty notices schools and academies must have the agreement of their governing bodies.

Schools and academies should publicise their use of penalty notices, for example through their websites, newsletters and attendance policy (if used) to ensure that parents are aware of the consequences of failing to ensure their child's regular attendance.

Schools and academies must establish who is liable to receive any penalty notice. If it is both parents, then any correspondence should be addressed to both parents. This is important because penalty notices will be issued to each parent separately.

A formal letter advising parents of their child's unauthorised absence and warning that a penalty notice will be issued if the unauthorised absence reaches 15 sessions in the current and or previous term is sent by the school/academy. A suggested letter is included as **appendix A**. If this letter is not used any letter sent must include the information as in the suggested letter.

If the unauthorised absence continues and subsequently reaches 15 sessions within the requisite time period and the school/academy decides to apply to the Local Authority to issue a penalty notice they must do so within 10 school days of the final absence.

Applications for penalty notices must be made using the standard application form **appendix B** and include a copy of the warning letter sent to parents, a copy of the attendance certificate **appendix C** signed and dated by the head teacher and a copy of the registration certificate for the relevant period.

Applications should be sent to the Attendance Team Manager for the area in which the child goes to school.

Penalty notices will be issued if they meet the requirements of the Code of Conduct.

Schools/academies should be aware that if the penalty remains unpaid and the Local Authority prosecute for the offence they will be required to complete a witness statement for the court and if the parent contests the case may be required to attend court as a prosecution witness.

There is no statutory right of appeal against the issuing of a penalty notice. Therefore it is important that all information is accurate and parents have been warned they are at risk of a penalty notice being issued against them. A sample penalty notice is included as **appendix D**

Appendix A

Suggested penalty notice warning letter

Dear

The Education (Penalty Notices) (England) Regulations 2007

Name of pupil _____ Registered at _____ (school name)

This is a formal warning that you are at risk of being in breach of the regulations stated above. _____ (child's name) has been absent from school and the absence(s) has/have not been authorised.

Should the number of unauthorised absence sessions reach 15 or more in the current and/or previous term you will be in breach of the regulations and the Local Authority may issue you with a penalty notice.

The notice requires you to pay a penalty of £60 within 21 days, rising to £120 if paid after 21 days but within 28 days. Each parent is liable to pay a separate penalty and penalty notices are issued for each child to whom the absence relates.

Payment of the penalty enables you to discharge your liability for the offence for the period in question of failing to ensure your child's regular attendance at school. (section 444, The Education Act 1996).

Failure to pay the penalty means you are liable to prosecution for the offence, by summons to appear before the local Magistrates Court. On conviction you may be liable for a fine of up to £1,000 per parent. This is a criminal offence which carries a criminal record. The Local Authority will ask for costs of £125 to be awarded against you.

If you fail to ensure your child attends regularly and 15 sessions of unauthorised absence is reached a penalty notice will be issued. **You will not receive a further warning before the penalty is imposed.**

If you believe there are legitimate reasons for your child's absence please contact me within 5 working days to discuss the matter.

Yours sincerely

_____ (Name)

_____ (Designation)

Appendix B

Hertfordshire County Council

**Children's Services
Integrated Services for Learning
Attendance Team**

Application for a Penalty Notice to be issued

Name of person requesting issue of Penalty Notice:	
Position: (Head, Deputy or Assistant Head Teacher only)	
Contact details:	

Pupil's Name:	
Date of Birth:	
School/Academy:	
Parent(s) full name(s):	
Address:	
Telephone:	

Date of warning letter:
Please attach copies of: 1. Warning letter 2. Certificate of attendance signed by the head teacher 3. Up to date SIMS (or equivalent) printout <i>Please note that applications will not be processed if the necessary information is not attached</i>

The following sections must be completed

1. Information on supportive measures offered to family. Please include dates of any meetings held with parents to address poor attendance.

2. Information on the parent(s) failure to co-operate:

3. Has the pupil been referred to or discussed with the Attendance Improvement Officer?
Yes/No – if yes, please give details

Any further information:

Please send this application **within 10 school days of the last absence** to the Attendance Team Manager for the area where the school is based.

Watford, Three Rivers, Bushey and Radlett Attendance Team

Attendance Team Manager, Post Point AP 1102, Apsley 2, Brindley Way,
Hemel Hempstead HP3 9BF

St Albans and Dacorum Attendance Team

Attendance Team Manager, Post Point AP 2115 Apsley 2, Brindley Way,
Hemel Hempstead HP3 9BF

Welwyn Hatfield and Hertsmere Attendance Team

Attendance Team Manager, Post Point MU204, 2nd floor, Mundells,
Welwyn Garden City AL7 1FT

North Herts and Stevenage Attendance Team

Attendance Team Manager, SFAR114, 1st Floor, Farnham House,
Six Hills Way, Stevenage SG1 2FQ

East Herts and Broxbourne Attendance Team

Attendance Team Manager, Room 50-61, Lower Ground Floor, County Hall,
Pegs Lane, Hertford SG13 8DF

Appendix C

Certificate of Attendance

Name of Child:	Date of Birth:
School/Academy	Attended: Form:
Parent/Guardian:	Address:

Week Commencing	Mon	Tues	Wed	Thurs	Fri	Possible attendance	Authorised absences	Unauthorised absences
Total								

Present		Absent		School closed
AM	PM	Authorised	Unauthorised	

Presented under the provisions of Section 566 of the Education Act 1996

I hereby certify that the above named child is a registered pupil at (name of school/academy) and that the above is an accurate record of his/her attendance.

Signed: Head teacher Date:

Appendix D

PENALTY NOTICE **S.444A EDUCATION ACT 1996**

Please read these notes carefully

PART 1

If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school, his/her parent is guilty of an offence under s.444 Education Act 1996.

To: Parent name
Of: Parent address

You are the parent of <<pupil name>> (called in this notice "the pupil") who is a registered pupil at << school name>>
Between (date) and (date) the pupil failed to attend regularly at <<name of school>>.

This notice gives you the opportunity to pay a penalty fine instead of being prosecuted for the offence given above. The amount of the penalty is £60 / £120 in accordance with the table overleaf. If you pay this penalty within the time limits set out below, no further action will be taken against you in connection with the offence set out in this notice.

Payment should be made within 21 days. If paid after 21 days but within 28 days the penalty is doubled to £120. For payment details please see over.

No reminders will be sent. If payment is not received by () you will be liable for prosecution for the offence and could be subject to a fine of up to £1,000.

This notice is issued by:

Date of issue.....

Signed.....

PART 2

Pupil's Name:

Please complete the following and return this notice with your payment to County Lead for Attendance, Room 134, Hertfordshire County Council, County Hall, Hertford SG13 8DF

Name:

Address:

I attach payment in the sum of £

Signed:

Date:

Payment of **£60** should be received by (). **No reminders will be sent.** After this date the penalty rises to **£120**. This should be received by () after this date you will be liable for prosecution for the offence and could be subject to a fine of up to **£1,000**.

A cheque or postal order (made out to Hertfordshire County Council) should be sent to Room 134, Hertfordshire County Council, County Hall, Hertford SG13 8DF.

If you wish to pay by Debit/Credit Card please contact 01992 555407/8 quoting 742300/26084, your child's name, school and the reference number <<IES reference number>> Without this information your payment may not be processed correctly and you risk prosecution in relation to the non-payment of this fine.

Note

1. Local Code of Conduct

This notice is issued in accordance with a local Code of Conduct drawn up by Hertfordshire County Council. Any correspondence about the code should be addressed to: the County Lead for Attendance, Room 134, County Hall, Hertford, SG13 8DF telephone 0300 123 4043

2. Withdrawal

This notice may be withdrawn by Hertfordshire County Council if it is shown that it should not have been issued to you or has not been issued to you in accordance with the local Code of Conduct. If you believe that the notice was wrongly issued you should contact the County Council to ask for it to be withdrawn as soon as possible, stating why you believe the notice to have been incorrectly issued. The County Council will consider your request and contact you to let you know whether the notice is withdrawn. If the notice is not withdrawn and you do not pay, you will be liable for prosecution for the offence that your child has failed to attend school regularly.

3. Payment

You should complete the notice above and send or deliver it to Hertfordshire County Council at the address given. If you wish to pay in person you must make an appointment or it will not be possible to receive your payment. If you wish to pay by Debit/Credit Card please contact 01992 555407/8 quoting 742300/26084, your child's name, school and reference number. Without this information your payment may not be processed correctly and you risk prosecution in relation to the non-payment of this fine.

4. Prosecution

If you do not pay the penalty, and the notice is not withdrawn, you will be liable for prosecution for the offence of failing to ensure your child's regular attendance at school. You will receive a separate summons for this which will give you notice of the time and date of the court hearing. You will be able to defend yourself and you will be advised to seek legal representation; in some cases you may be entitled to legal aid. Information on obtaining legal advice and legal aid can be obtained from Community Legal Advice 0845 345 4345 Mon- Fri 9.00 am – 8pm Sat 9.00am – 12.00 pm or from www.direct.gov.uk