



ASPIRE  
ACADEMY

# Aspire Academy

## **Attendance and Punctuality Policy**

**September 2017**

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## Values:

**‘Central to raising standards in education and ensuring all pupils can fulfil their potential is an assumption so widely understood that it is insufficiently stated – pupils need to attend school regularly to benefit from their education. Missing out on lessons leaves children vulnerable to falling behind. Children with poor attendance tend to achieve less in both primary and secondary school’.**

### **School Attendance: Statutory guidance and departmental advice, DFE Aug 2013**

Aspire Academy expects the highest attendance and punctuality from all pupils, at all times. We support pupils and their families to ensure that excellent attendance is achieved.

- Full attendance, that is pupils attending every time that the school is open to them, is a critical factor in ensuring positive educational outcomes for our pupils. Our school will actively promote and encourage excellent attendance for all our pupils. Our expectation is that pupils will have 100% attendance, unless prevented from attending school due to illness or any unavoidable circumstances.

## Overall Aims:

- To ensure that every child is safeguarded and their right to education is protected.
- To ensure the school attendance target is achieved, through rewards and incentives for good attendance and punctuality.
- To raise standards and ensure every child reaches their full educational potential, through a high level of school attendance and punctuality.
- To ensure all the stakeholders, governors, parents, pupils and staff receive regular communication, about the importance of good attendance and punctuality.
- To keep accurate, up-to-date records and have a robust and rigorous system for analysing attendance.
- To identify causes of low attendance/punctuality with individuals, classes and groups of pupils and address them.
- To work with external agencies, in order to address barriers to attendance and overcome them.

## Rights and responsibilities for attendance/punctuality:

### **The Legal Framework:**

#### **The Law:**

All children of compulsory school age who are registered at school **MUST** attend school regularly. The expectation is 100% attendance unless prevented from attending due to illness or any unavoidable cause.

There are legal obligations on:

- The parent(s) to secure education for their children, whether at school or otherwise, to send them to school regularly once they are on the register
- The School to register attendance and notify the Local Authority of absence from school
- The Local Authority to provide education and to enforce attendance.

## **Head Teacher:**

- To be responsible for the overall management and implementation of the policy.
- To deal with parental requests for extended leave in line with Bath & North East Somerset policies and procedures.
- To consider the use of Penalty Notices, in line with Bath & North East Somerset Local Authority policies and procedures.
- To lead on/take responsibility for attendance/punctuality, on a day-to-day basis, including liaising with/responding to parental enquires.
- To oversee the analysis of/analyse weekly/termly/yearly data and respond to findings.
- To meet with the Office to monitor the systems and structures, ensuring they are having an impact on pupil attendance and punctuality.
- To liaise with external agencies such as the Education Welfare Officer and make referrals where necessary.
- To ensure that rewards and incentives for attendance and punctuality are being used.
- Work with the SENCO, teachers and parents to plan for the reintegration of pupils after long-term absence.
- To revise and amend the policy, as required.

## **Office team:**

- To carry out and record the outcome of first day calls, when a child doesn't arrive at school when no reason has been received.
- To monitor weekly attendance data for their year groups.
- To check the school answer phone and take messages from parents/carers about pupil absence.
- To promptly inform the HT, if there are any concerns relating to attendance/punctuality
- To forward weekly/termly/yearly data for HT and Governors to analyse.
- To record reasons for absence and updating class registers.
- To implement the daily checking of registers after the morning and afternoon registration sessions.
- To maintain SIMS attendance records in line with this policy.
- To liaise with and report to with outside agencies such as the Children Missing Education Service.
- To report to the Local Authority, as requested.
- To maintain clear communication with the HT regarding attendance and punctuality within the different year groups.
- To oversee the admission and induction of new pupils.
- To support HT with the promotion good attendance and punctuality, through organising rewards.
- To ensure staff are following the registration systems and structures in this policy.
- Inform parents of school procedures, when parents have failed to inform the school.

## Staff:

- To ensure quality first teaching every day; with lessons that are well planned and resourced so that they challenge, inspire and meet their learners' needs.
- To keep accurate and up-to-date daily records of pupil attendance through the register system.
- Take a formal register of all pupils twice a day. This is done on the school's register system at 9.15 am and 1.00 pm.
- To regularly remind children and parents about the importance of good attendance.
- To follow up on pupil absence by ensuring reasons for absence are sought.
- Provide a welcoming and safe environment, which encourages attendance and promotes the best performance from children.
- Establish good and effective communication links with parents/carers and work collaboratively in meeting the child's needs.
- If required, to work collaboratively with other agencies to assist them in fulfilling their statutory duties, regarding for example, child protection
- Work with pupils and their families where attendance is a concern, identifying barriers to good attendance and working to overcome these.
- **To promptly inform the HT, of pupils who persist with poor attendance.**
- To feed back to parents about pupil attendance and punctuality regularly and at Consultation Evenings.

## Parents:

Children should only be kept at home if they have a serious illness or injury. If this is the case, parents should contact the school before 8.45am. **If a child has a minor illness e.g. mild headache, stomach aches etc. parents should inform the school and bring them in. If they don't get any better, school will contact parents straight away, to collect them.** If pupils' have a dental, clinic or hospital appointment, parents should let the school know. All non-urgent appointments should be made outside school time. Pupils' should be brought child back to school after appointments. **Pupils should miss as little time as possible.**

## Therefore, parents are expected to:

- **Ensure their child attends school and arrives on time every day.**
- Promote a good attitude to learning by ensuring their children attend school in the correct uniform and with the basic equipment required for lessons.
- Not arrange medical and dental appointments in school time wherever possible.
- Telephone to inform the school with regards to any absence for their child.
- Work in partnership with the school and other agencies in the best interests of their child; this includes informing the school about significant influences and changes in the child's life, which may impact on learning.

## Resolving Problems:

Parents & Carers are expected to contact Aspire Academy staff and to work with them in resolving any problems. Sharing information is key and can lead to successful outcomes.

If difficulties cannot be resolved within school and the child continues to be frequently or persistently absent from school, the Headteacher will refer the child to the Children Missing Education Officer (CMEO) from Bath & North East Somerset Council.

CMEOs can use legal proceedings if required, including penalty notices (fines) or prosecution in the Magistrates Court, to secure improved attendance.

Alternatively, parents may themselves wish to contact the CMEO to ask for help or information. CMEOs are independent of the school and will give impartial advice. The Children Missing Education Service number is available from the school reception or by contacting Bath & North East Somerset Council.

**The Local Authority, through the Children Missing Education Service, is expected to:**

- Support the school in improving attendance, through whole school initiatives and individual pupil interventions.

- Work with families and other agencies to remove barriers to good attendance.
- Ensure that parents are informed of their responsibilities in relation to attendance.
- Uphold and enforce the law in respect of attendance, child employment, and involvement in entertainment and child protection.

## **Strategies for promoting/rewarding excellent attendance:**

### **Aims:**

- To ensure good attendance and punctuality is regularly promoted and supported and remains high profile across school.
- To achieve high levels of attendance and punctuality through rewarding good attendance and punctuality.

## **The School Learning Environment**

A welcoming, organised learning environment that supports and celebrates its learners is a key factor in ensuring children enjoy school and attend regularly. All staff ensure that their learning environments are of a high quality.

## **Staff Promoting Good Attendance**

It is important that teachers are regularly promoting good attendance with their classes. Good class attendance is attributed to good teaching and this is celebrated.

## **Parent/teacher consultation evenings**

This provides an opportunity for teachers to praise and recognise excellent attendance or share attendance concerns and discuss barriers to good attendance. Where necessary a target for improving attendance is set. The class teacher then monitors this. If there is no improvement in attendance, the pupil is referred to the HT.

## **Monitoring and Recording Attendance & Punctuality**

### **Class Registers**

Directors of the Primary and Secondary centres inform the attendance officer of any absences/lateness by 9-30am. Class registers are then recorded electronically by the attendance officer. The system ensures that no children are missed and that pupil information can be shared quickly and securely. Registers are the only way of recording pupil attendance and must be completed accurately.

Registers can be re-submitted in the case of a mistake or a pupil arriving after submission, but registers must be accurate and submitted at key times (see below).

### **Morning Register**

Class registers remain open until 9:15am. At that point, the teacher may submit their final register. The teacher may submit the register as many times as they wish before 9.00 am (e.g. if a mistake has been made or a child has arrived slightly late) but at 9.00 am the register must be correct and submitted.

The Office then checks that the children who have arrived late have been marked '/' (present) in the registers and corrects any mistakes or inputs codes for children who are known to be absent. The administrator then begins first day absence calls.

### **Afternoon Register**

Registers must be submitted by teaching staff straight after lunch before afternoon lessons commence. They should be submitted by 1:00pm

### **School Attendance Letters**

The school sends out letters, to communicate with parents about attendance. (Copies of all standard letter formats are included at the end of this document.)

### **Punctuality**

The office team monitor the punctuality each day. This may involve speaking to parents directly, or via a phone call. Letters regarding the school's concern over lateness may also be sent; explain how much learning pupils are missing. If it does not improve, parents are invited in to school, to discuss the concerns with the HT and plan a way forward. If lateness does not improve following the meeting, then the family will be referred to the CMEO who will contact parents warning them that further action may be taken.

### **IMPORTANT:**

**Child Protection and safeguarding concerns must be acted on immediately, in line with the school Child Protection and Safeguarding Policy.**

### **Monitoring First Day Absence**

If a child is absent from school and the school has not received a phone call or other message from the parent/carer, a first day absence call will be made. The office follows



this system:

- Phone parents' contact number(s).
- Repeat this during the first morning of absence if no response. Phone emergency contact number(s) to get an up-to-date contact number for the parent/carer and update the school system accordingly.
- Office to speak to the parents at home time, if they are at school to pick up other children.
- Speak to the parents face-to-face or by phone the next day and establish reasons for absence and update contact numbers.

The parent/carer is asked to provide a reason as to why the child is not in school. The absence reason is recorded next to the child's name on the first day absence sheet and this is filed in the absence folder.

The office must establish a reason for every absence. No absence should be left on the system as an 'N' (no reason given) code. If the office has not been able to contact parents after 2 days then the absence is recorded as 'O' (unauthorised).

## Attendance Meetings

The office monitors individuals, classes, year groups, different ethnic groups, SEN and FSM pupils. They identify patterns and trends in absence/punctuality, including persistent absence. The systems and structures are then followed, to improve attendance for these individuals or groups. Letters are sent out to parents whose children's attendance is below 90% and parents who are concerned about their child's attendance, are invited to work in partnership with the school.

## Summary of procedures to promote good attendance/punctuality:

The following tables show specific procedures to maintain and encourage excellent attendance at Aspire Academy:

Daily procedures	By whom	Outcomes / action
Parents ensure pupils arrive at school on time	Parents/carers	
Parents inform the school by 8.45 am, if their child is absent that day	Parents/carers	Office staff update registration codes
Pupils arriving late to school are registered at reception	Office staff	Absence mark on SIMS amended to a late mark by office
Teachers record attendance using the schools register system. This is done at 8.45 am and 1.15 pm.  Complete attendance/punctuality record for HT – as required. Send to the office by 9.15 am	Teachers/Supply staff  Teacher/TA	Staff use a paper register, if required.  Teacher takes responsibility for promptly informing HT/office of concerns.
1st day absence phone calls are made to inform parents of their child's unexplained absence for that day HT informed of attendance/punctuality issues – parents contacted, if required	Office	Update attendance codes
Parents provide written note, including dates of and reason for absence upon the child's return to school	Parents	Office collects at reception/Teachers collect these and pass on to HT for filing

<b>Weekly procedures</b>	<b>By whom</b>	<b>Outcomes / action</b>
Attendance/punctuality statistics produced by year group and school	Office	Entered into Attendance on SIMS to allow for monitoring and analysis
Attendance/punctuality statistics produced and shared in Celebration Assembly, displayed on the School Attendance Boards	Office	Encourages good attendance.
Absence codes for individual pupils are updated using SIMS to show reason for absence	Office	Information provided here is used to provide targeted interventions as appropriate

<b>Half termly and termly procedures</b>	<b>By whom</b>	<b>Outcomes / action</b>
Analyse attendance/punctuality data to monitor trends and progress	Head teacher	
Assemblies to promote attendance/punctuality and share term's data and progress	Directors of Centre	
Discussions as required in response to specific attendance/punctuality concerns of a particular cohort of pupils	Directors of Centre	
Individual attendance/punctuality discussed with pupils and families, at parents' evenings	Directors of Centre	Mentoring and advice on attendance/punctuality issues provided to all families
Analyse attendance/punctuality data and information to identify cases of concern and develop appropriate interventions	Directors of Centre	Targeted intervention for individual concerns
Meeting to discuss individual cases, monitor progress and refer new concerns. Support and meeting provided for pupils and families.	HT/ Directors of Centre	
Review success and impact of attendance/punctuality strategies for the term	HT/ Directors of Centre	Amend and refine interventions as appropriate

## Extended Holidays

In line with Bath & North East Somerset Local Authority and KAFOS, 'Leave in term Time Guidance' and the 2013 Amendment to the Education (Pupil Registration) (England) Regulations, **leave for pupils during term time is only authorised in exceptional circumstances.** The school recognises that taking children out of school may constitute a safeguarding risk and will make necessary enquiries, in order to be satisfied that the child is not at risk. The school may contact outside agencies in order to ensure that a visit is legitimate and safe for the child/children.

Head teachers may now only grant leave in term time where the circumstances are exceptional, for example:

- One parent unable to take leave during school holidays, i.e. emergency services. A request must be made to the parent who is an emergency service worker to provide a letter from their line manager confirming that the dates requested are the only dates available for them to take holiday.
- Death of parent/carer or sibling of the pupil
- Life threatening or critical illness of parent or sibling of the pupil
- Parent/carer recuperation and convalescence from critical illness or surgery (leave request to be made within 6 months of recovery and medical evidence required)
- Close family wedding. Unless the school is aware of the family member getting married (mother or father), a copy of the invitation must be requested in order to assist the decision making process.

Family emergencies need careful consideration. It is not always in the best interest of the child, nor appropriate for them to miss school for family emergencies that are being dealt with by adult family members. Being at school, friendships and support from staff can provide children with stability and care during difficult times. The routine of school can provide a safe and familiar background during times of uncertainty.

If you have exceptional circumstances, which have lead you to request leave in term time for your child/ren, please complete the required form, which you can obtain from the school office after speaking with the Headteacher. The Headteacher will then make a decision, on whether or not the leave can be lawfully authorised and will do so only if there is a genuine, exceptional and urgent reason for a child to be absent during term time.

Where a request for leave of absence has been made by a parent with whom the child resides, any estranged parent with parental responsibility will be advised of the request for leave. The school will not become involved in disputes between parents over permissions surrounding the request. If the parent on receipt of the notification does not agree with the absence then he/she may put in writing to the Headteacher notification to that effect. This will be given consideration should a Penalty Notice be requested for the absence.

## Penalty Notices

**If a child is taken out of school without the Head Teacher's authorisation, it will be recorded as unauthorised absence. This may lead to the issuing of a penalty notice and legal action being taken.**

### Section 23(1) Anti-Social Behaviour Act 2007:

Penalty notices may be issued to the parent of pupils who have unauthorised absence from school. The amount of the penalty is £60 per child per parent.

- If this is not paid within 21 days the amount rises to £120 per child per parent.
- If not paid within 28 days the Local Authority will prosecute under section 444(1) unless

it comes to our attention that the penalty notice had been issued in error.

### **Return from unauthorised holiday**

First unauthorised holiday - If a period of unauthorised holiday is taken by the parent/s, the LA letter FHTT Letter 1 must be sent upon return to school, even if the period is only 1 day. A copy of this letter must be retained by the school.

If the parent subsequently takes the child out of school for a second period of unauthorised holiday, the LA letter FHTT Letter 2 must be issued and the Penalty Notice Request Form completed and sent to the LA. N.B. Copies of previous letters must also be sent to the LA with the Penalty Notice Request Form.

### **Section 444(1) Education Act 1996:**

“If you are the parent of a child of compulsory school age who fails to attend school regularly, you are guilty of an offence.”

The court can fine each parent up to £1,000 per child, order payment of the prosecution costs and/or make a Parenting Order.

- Parent' includes any person who is not a parent of the child but who has parental responsibility for the child (and applies whether or not that person lives with the child) or who has care of him/her.

### **These prosecutions are criminal proceedings and could result in you having a Criminal record.**

December 2016 Education Inclusion Service - The use of Penalty Notices in cases of irregular school attendance – Code of Conduct – See Appendix 1

# **The use of Penalty Notices**

## **in cases of Irregular School Attendance**

### ***Education (Penalty Notices) Regulations 2007***

Bath & North East Somerset is committed to raising the educational achievement of children and young people through improved attendance at school. In addition to its work with schools, academies and other partners to promote early help and appropriate support systems, Bath & North East Somerset Council will consider legal action where children & young people are absent from school without leave and/or other measures have failed to improve the situation.

#### **Legal Framework**

##### Parental Responsibility for Regular School Attendance

Under Section 7 of the Education Act 1996, the parent is responsible for making sure that their child of compulsory school age receives efficient full-time education that is suitable to the child's age, ability and aptitude and to any special educational needs the child may have. This can be by regular attendance at school or by education otherwise (the parent can choose to educate their child at home).

If a child of compulsory school age who is registered at a school fails to attend regularly at the school then the parent is guilty of an offence under Section 444(1) of the Education Act 1996.

It is the commission of this offence that can trigger the use of a penalty notice. The proof required is the same as that which would be required for a prosecution under section 444(1) of the Education Act 1996 i.e. Bath & North East Somerset Council can take legal action unless the parent can show one of the following defences:

- the pupil's absence was authorised by the school;
- the pupil was ill or prevented from attending by any unavoidable cause;
- the absence was on a day exclusively set aside for religious observance by the religious body to which the parent belongs;
- the school is not within walking distance of the child's home and the LA has made no suitable arrangements for:
  - the child's transport to and from school;
  - boarding accommodation at or near the school; or
  - enabling the child to attend a school nearer their home

- the parent can show that for occupational purposes requires them to travel, and the child has attended school as regularly as the nature of the trade or business allows, and the child has attended school for at least 200 sessions during the preceding twelve months.

The Anti-social Behaviour Act 2003 (section 23) adds two sections (444A and 444B) to the Education Act 1996. These sections introduced penalty notices as an alternative to prosecution and enable parents to discharge potential liability for conviction for that offence by paying a penalty.

If it appears that an offence under section 444(1) of the Education Act 1996 has been committed and none of the defences outlined above apply, then consideration can be given to issuing a penalty notice.

This provision enables the following to issue penalty notices, although there is no requirement for them to do so:

- authorised local education authority staff;
- head teachers and school staff authorised by them (limited by regulations to deputy and assistant heads); and
- the police, community support officers and accredited persons.

Any person issuing a penalty notice must do so in accordance with the code of conduct. Section 16, Education (Penalty Notices) (England) Regulations 2007.

### **Circumstances in which a penalty notice may be issued**

The key consideration in deciding whether to issue a penalty notice will be whether it can be effective in improving the pupil's attendance at school.

A penalty notice may be issued in circumstances where the parent is judged capable of securing their child's regular attendance but is not willing to take responsibility for doing so, for example where the parent has failed to engage with any voluntary or supportive measures proposed. A penalty notice will only be issued in these circumstances if a written warning has been issued to the parent, and there has been insufficient improvement in the pupil's attendance. A written warning can be issued by Bath & North East Somerset Council, a maintained school or an academy.

Penalty notices will usually be issued where a pupil has 10 or more unauthorised absences in the 100 sessions prior to the request for a penalty notice to be issued.

Authorised officers will, however, have the discretion to issue a penalty notice for a first offence in exceptional circumstances. This could be where the unauthorised absence was for an extended period and/or condoned by the parent, for example:

- One-off instances of unauthorised absence such as holidays taken during term time without the school's permission. Where a pupil has accrued more than ten or more consecutive unauthorised absences for the purpose of a holiday and where overall attendance is 95% or below for that academic year.
- Following a truancy sweep, enquiries show that the school has recorded the pupil's absence for that session as unauthorised.
- In cases where pupils are persistently late for school after the register has closed for ten sessions or more during a school term.
- In cases where an excluded pupil is found in a public place during school hours without a justifiable reason during the first 5 school days of an exclusion, whether fixed period or permanently from a maintained school, academy or a free school.

Penalty notices must be issued within 6 weeks following the period of unauthorised absence.

Penalty notices may be issued to any or all parents as defined by section 576 of the Education Act 1996.

Parents will not usually be issued with more than 2 separate penalty notices per child in any twelve-month period.

### **Circumstances in which a penalty notice will not be issued**

Bath & North East Somerset Council, schools, academies and the police must apply their powers fairly and consistently, having regard to this code of conduct. Inconsistency or unfairness may lead to challenges under the Human Rights Act 1998.

A penalty notice will not therefore be issued unless it is in accordance with this code of conduct.

Penalty notices are one of a range of interventions available to schools, academies and Bath & North East Somerset Council's policy 'Legal Action to Enforce School Attendance' sets out the principles and appropriateness of using legal action with regard to school attendance. The same criteria will be applied in cases where a penalty notice is requested, to ensure that the most appropriate way of resolving a pupil's attendance difficulties are identified.

A penalty notice will not therefore, be issued where Bath & North East Somerset Council is contemplating, or has commenced proceedings for an offence under section 444 of the Education Act 1996, or where an alternative to legal action has been identified.



## Procedure for Issuing Penalty Notices

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".

To monitor consistency and to avoid duplication, the Bath & North East Somerset Children Missing Education Service (CMES) 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, signed and dated.

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 Children Missing Education Service for further consideration. In any case a penalty notice will only be issued where a pupil's absence is unauthorised.

Penalty notices will be issued where the CMES or the registered school determines that to do so would be an effective and appropriate addition to ongoing casework with a pupil and their parent. The Children Missing Education Officer working with the case or the headteacher of a maintained, academy or free school should complete the Penalty Notice Request form.

Where feasible, parents should be warned of the possibility of a penalty notice being issued and invited to make representations to their child's school or academy. If the penalty notice is as a result of Bath & North East Somerset Council's casework, representation should be made to the Children Missing Education Service.

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

- £60 where the amount is paid within 21 days of receipt of the notice;
- £120 where the amount is paid within 28 days of receipt of the notice.

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.

Bath & North East Somerset Council has no facility to pay the penalty electronically.

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