

TOPCLIFFE CE PRIMARY SCHOOL

LEARNING FUN INSPIRATION

Our school is committed to providing a safe, healthy, cheerful and respectful Learning Environment. We stimulate, inspire and challenge pupils to achieve their full potential.

Introduction

Regular school attendance has always been important. Without it the efforts of the best teachers and the best schools will come to nothing. Education provides a means of advancement for all young people. Pupils need to attend regularly if they are to take full advantage of the educational opportunities available to them in law. Irregular attendance undermines the educational process and leads to educational disadvantage.

(Extract from Department for Education Booklet 'School Attendance' May 1994)

Reporting Absences

It is parents responsibility to inform schools of the reason for a child's absence as soon as possible.

Parents are expected to contact the School Office on the first day of absence before 9am giving as much information as is available at that time. If the absence is prolonged, interim information would be appreciated, so that the school can help with homework or other necessary arrangements. School should be informed of the reason for absence either by phone or by letter.

In the event of no contact having been made regarding a child's absence, the parents will be contacted by the School Office. If unexplained absence continues, or the school is concerned regarding irregular attendance, the Education Welfare Officer will be contacted.

Registration

Under regulation 3 of the Pupils' Registration Regulations 1956, all schools must keep an attendance register on which, at the beginning of each morning and afternoon session, pupils are marked present or absent. The 1991 Regulations also state that registers must state whether an absence is authorised or unauthorised.

Authorised/Unauthorised Absence

Only the school, within the context of the law, can approve absence, not parents. (Section 199, Education Act 1993).

The question of authorised and unauthorised absence is an important issue and to help parents distinguish between the two the following guidelines are included. If after reading these guidelines you are still in doubt please contact the Headteacher.

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Illness, Medical and Dental Appointments - If the school is satisfied that a pupil of compulsory school age is prevented from attending school by reason of illness then the absence will be treated as authorised. Leave for medical or dental appointments may be given (ie. the absence may be authorised) where confirmation has been received from the parents (either in person, in writing or by a telephone call) or on production of an appointments card.

Lateness - The school policy is to encourage punctuality but to also actively discourage lateness as it can seriously disrupt lessons. If a child is late and misses registration, a late mark will be recorded. If a child arrives after 9.30am then the lateness will be marked as unauthorised unless an acceptable explanation is given. Obviously the school will be sympathetic if this is for a good reason. If however a pattern of lateness starts to emerge, parents will be invited to discuss the matter with the Head Teacher in order to reach a satisfactory solution. Late is after 8.50am.

Requests for Absence that could be deemed to be for 'exceptional reasons'.

Family Circumstances - It is for schools to determine whether an absence in this category should be authorised or not: much will depend on the circumstances of the particular case. Only exceptional circumstances will be sanctioned through authorised absence after discussion with the Head Teacher.

Family Bereavements - The death of a family member can be a particularly traumatic event in any young person's life. The Headteacher has the discretion to authorise absence to attend funerals or associated events and any request would be dealt with sympathetically.

Holidays - It is unlikely that requests for leave of absence for the purpose of holiday will be authorised unless deemed by the Headteacher to be 'exceptional'. Please see letter attached from the Corporate Director Children and Young People regarding absence and in particular the definition of 'exceptional'. This could include a request for leaving following the return from 'active deployment' by a parent serving in the Armed Forces.

Requests for leave of absence should be made on a Leave of Absence Form. This form can be obtained from the School Office. Requests for leave of absence are unlikely to be sanctioned unless the Head Teacher agrees that the reason for leave is exceptional. The Head Teacher has been delegated the power to authorise such leave during term time and it is essential that requests for such leave are made PRIOR to booking any holiday

Days of Religious Observance - Absence of a pupil for participation in a day set aside exclusively for religious observation by the religious body to which the parents belong can be classified as authorised. It is essential that the school is given advance notice of religious observance days.

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Applying for Leave of Absence

All requests for Leave of Absence should be made on the relevant form (Appendix 1) available from the school office. A reply will be sent stating whether the absence will be authorised or unauthorised.

Implications for absence that is not authorised

The North Yorkshire Policy outlined below regarding penalty notices will be followed for those parents who promote, and take no action, against serious periods of unauthorised absence.

Definition of a parent

A parent means:

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.

The local authority and school will need to decide who comes within the definition of parent in respect of a particular pupil when using the legal measures, but generally parents include all those with day to day responsibility for a child.

Context of the school attendance measures

Parents are responsible for making sure that their children of compulsory school age receive a suitable full-time education. This can be by regular attendance at school, at alternative provision, or otherwise (e.g. the parent can choose to educate their child at home).

A child reaches compulsory school age on or after their fifth birthday. If they turn 5 between 1 January and 31 March they are of compulsory school age on 31 March; if they turn 5 between 1 April and 31 August they are of compulsory school age on 31 August. If they turn 5 between 1 September and 31 December, then they are of compulsory school age on 31st December.

A child continues to be of compulsory school age until the last Friday of June in the school year that they reach sixteen. From September 2013 12 all 16 year-olds will be required to continue in education or training, until the end of the academic year in which they turn 17. From September 2015 they will be required to continue until their 18th birthday.

School Attendance Orders

If it appears to the local authority that a child of compulsory school age is not receiving a suitable education, either by regular attendance at school or otherwise, then they must begin procedures for issuing a School Attendance Order. The order will require the child's parents to register their child at a named school. If they fail to comply with the order the parent can be prosecuted.

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Prosecutions by local authorities

If a child of compulsory school age fails to attend regularly at a school at which they are registered or at a place where alternative provision is provided for them the parents may be guilty of an offence and can be prosecuted by the local authority. Only local authorities can prosecute parents and they must fund all associated costs. Local authorities have the power to prosecute parents who fail to comply with a school attendance order (section 443 of the Education Act 1996) or fail to ensure their child's regular attendance at a school (section 444 of the Education Act 1996).

Penalty Notices

Penalty notices are fines of £60/£120 imposed on parents. They are an alternative to the prosecution of parents for failing to ensure that their child of compulsory school age regularly attends the school where they are registered or at a place where alternative provision is provided. Penalty notices can be issued to each parent liable for the attendance offence or offences.

Penalties can be used where the pupil's absence has not been authorised by the school.

Penalties 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 five days of a fixed period or permanent exclusion. The parents must have been notified by the school at the time of the exclusion of this and the days to which it applies.

The Education (Penalty Notices) Regulations 2007 set out the details of how the penalty notice scheme must operate. This includes a requirement that every local authority must draw up and publish a Code of Conduct for issuing penalty notices, after consulting all schools, including academies, and the police. The code should set out the criteria that will be used to trigger the use of a penalty notice. These could include: a number of unauthorised absences, perhaps within a rolling academic year; one-off instances of irregular attendance such as holidays taken during term time without the school's permission; and where an excluded child is found in a public place during school hours without a justifiable reason.

The local authority administers the scheme for all schools in its area, including academies and Free Schools.

Payment of Penalty Notice (As of the 1st September 2013)

The penalty is £60 if paid within 21 days of receipt rising to £120 if paid after 21 days but within 28 days. The payment must be paid direct to the local authority. The parents can only be prosecuted if 28 days have expired and full payment has not been made.

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 the local authority must decide either to prosecute for the original offence to which the notice applies or withdraw the notice. Only local authorities can make decisions on whether parents should be prosecuted for school attendance offences. All schools (including academies) have a duty to refer regular absence (authorised and unauthorised) to the relevant local authority. This may include any evidence to show how they supported the pupil and parent to improve attendance. It is for each local authority to judge each referral on its own merits and make a decision on the next probable cause of action.

It is the statutory duty of local authorities to carry out investigations including witness statements leading up to prosecutions.

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Signed (Chair of Governors)

Date

Appendix 1- Application for Leave of Absence during term time

Appendix 2- Letter authorising leave

Appendix 3- Letter not authorising leave

Appendix 4- letter from Corporate Director

APPLICATION FOR PUPIL LEAVE OF ABSENCE IN EXCEPTIONAL CIRCUMSTANCES DURING TERM TIME

This form should be completed by the parent/carer and returned to the school as far in advance as possible and at least **6 weeks** before the first date of the period of leave being requested. Parents/carers must obtain the schools permission **before making any arrangements for leave in exceptional circumstances, otherwise the absence will be recorded as unauthorised.**

No parent/carer can demand leave of absence as of right. The Education regulations state that applications for leave must be made in advance by a parent with whom the child lives and can only be authorised by the school in exceptional circumstances. Each application is considered individually by the school.

The following are examples of the criteria for leave of absence, which may be considered as 'exceptional':

- Service personnel returning from active deployment
- Where inflexibility of the parents' leave or working arrangement is part of the organisational or company policy. This would need to be evidenced by the production or confirmation from the organisation/company
- Where leave is recommended as part of a parents' or child's rehabilitation from medical or emotional problems. Evidence must be provided.
- When a family needs to spend time together to support each other during or after a crisis

Please note: Headteachers would not be expected to class any term time holiday as exceptional

This is not an exhaustive list and Headteachers must consider the individual circumstances of each case when making a decision on this matter. Where a Headteacher feels that there may be exceptional circumstances which do not fit the criteria, they may refer to the local authority for advice. The decision of the Headteacher is final. Parents who take a child on leave in term time without the permission of the school risk being issued with a penalty notice fine for unauthorised absences. Taking a pupil on leave during term time interrupts teaching and learning and can disrupt educational progress. Before completing this application parent/carers are asked to consider the effect on their child's continuity of education.

APPLICATION FOR PUPIL LEAVE OF ABSENCE IN EXCEPTIONAL CIRCUMSTANCES DURING TERM TIME

Name of pupil(s):

Class(es):

Address: Telephone No:

I request permission for my child to be absent from school

From.....To.....Total school days.....

Exceptional circumstances for request:

(this section must be answered in full and against stated criteria)

Signature of parent/carer.....Date.....

For school use only

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Seen by Headteacher (signature).....Date.....

Decision reached.....

Date reply

returned.....

Authorising absence.

Dear

Request for exceptional leave in term-time.

I have considered your request for leave in term-time and I have agreed to grant permission on this occasion for the following reasons:

Your child(ren) (insert names and dates of birth of pupil(s)) will be marked as authorised absence from(insert dates)
He/she/they are expected to return to school on (insert date of return)

If your child(ren) do not return to school on this date, further absences will not be authorised. This means that you may be issued with a penalty notice. A penalty notice of £60 is payable within the first 21 days and rises to £120 thereafter. The Local Authority will take legal action if the penalty notice is not paid within 28 days of date of issue. Legal action may result in a fine of up to £1,000 and a criminal record for each parent.

Please note your child(ren) may lose their school place if they do not return to school after the agreed date.

A copy of this letter will be placed on your child(ren)'s school file.

Yours sincerely,

Headteacher

Letter not authorising leave.

Dear (*insert full name of parent/carer- letter should be sent to each individual parent/carer*)

Refusal for exceptional leave in term-time.

I have considered carefully your request for leave in term-time and on this occasion I will not be authorising your child(ren)'s absence.

This is because (*insert reason*)

If your child(ren) do not attend school during the dates you requested (*insert dates*) the absence will be recorded as unauthorised and a request to issue you with a penalty notice will be made.

A penalty notice of £60 is payable within the first 21 days and rises to £120 thereafter. The Local Authority will take legal action if the penalty notice is not paid within 28 days of date of issue. Legal action may result in a fine of up to £1,000 and a criminal record for each parent/carer.

A copy of this letter will be placed on your child(ren)'s school file.

Yours sincerely,

Headteacher

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