



**Kirkby la Thorpe  
Church of England Primary Academy**

<b>Policy Title</b>	Attendance
<b>Governance Function Area</b>	Academic Performance
<b>Date reviewed/amended</b>	January 2025
<b>Date for next review and frequency</b>	January 2027 Biennially or in light of legislative changes

## Attendance Policy - Contents

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## Statement of intent

Kirkby la Thorpe CE Primary Academy believes that in order to facilitate teaching and learning, high levels of attendance are essential. Pupils cannot achieve their full potential if they do not regularly attend school.

We understand that barriers to attendance are complex, and that some pupils find it harder than others to attend school: therefore, we will continue to prioritise cultivating a safe and supportive environment at our Academy, as well as strong and trusting relationships with pupils and parents/carers. Improving attendance is everyone's business.

We take a whole-school approach to securing good attendance and recognise the impact our efforts in other areas – such as the curriculum, behaviour standards, bullying, SEND support, pastoral support, and the effective use of resources such as Pupil Premium – can have on improving pupil attendance.

We are committed to:

- Ensuring this attendance policy is clear and easily understood by staff, pupils and parents/carers.
- Ensuring parents/carers follow the framework set in section 7 of the Education Act 1996, which states that:  
“The parent/carer of every child of compulsory Academy age shall cause him/her to receive efficient full-time education suitable –
  - to age, ability and aptitude, and
  - to any special educational needs he/she may haveEither by regular attendance at Academy or otherwise.”
- Promoting and modelling high attendance and its benefits.
- Building strong relationships with families to overcome barriers to attendance.
- Working collaboratively with other academies in the area, as well as other agencies.
- Ensuring our attendance policy is clear and easily understood by all staff, parents/carers and pupils.
- Regularly monitoring and analysing attendance and absence data to identify pupils or cohorts that require more support.
- Ensuring equality and fairness of treatment for all.
- Implementing our policies in accordance with the Equality Act 2010.
- Early intervention and working with other agencies to ensure the health and safety of our pupils.
- Rewarding regular attendance.

The Academy's attendance officer is Janet Adams, who can be contacted via [enquiries@kltprimary.co.uk](mailto:enquiries@kltprimary.co.uk). Staff, parents/carers and pupils will be expected to contact the attendance officer for queries or concerns about attendance. The Academy's attendance champion is the Headteacher, Clare Early

## 1. Legal framework

1.1 This policy has due regard to legislation and statutory guidance, including, but not limited to, the following:

- Education Act 1996
- Equality Act 2010
- Education (Pupil Registration) (England) Regulations 2006 (As amended)
- Children (Performances and Activities) (England) Regulations 2014
- Children and Young Persons Act 1963
- DfE (2025) 'Keeping children safe in education 2025'
- DfE (2016) 'Children missing education'
- DfE (2024) 'Working together to Improve School Attendance'
- DfE (2024) 'Summary Table of Responsibilities for School Attendance'

1.2 DfE (2024) 'Working together to improve Academy attendance. This policy will be implemented in conjunction with the following Academy policies:

- Complaints Policy
- Behaviour and Discipline Policy
- Children Missing Education Policy
- Safeguarding and Child Protection Policy
- SEND Policy
- Supporting Pupils with Medical Conditions Policy

**Section 7 of the Education Act 1996 states that:**

**The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable —**

- (a) to his age, ability, and aptitude, and
- (b) to any special educational needs he may have,

either by regular attendance at school or otherwise.

**Section 8 of the Education Act 1996 states that:**

**A person begins to be of compulsory school age —**

- (a) when he attains the age of five, if he attains that age on a prescribed day, and
- (b) otherwise at the beginning of the prescribed day next following his attaining that age.

Prescribed days are 31 August, 31 December and 31 March

**A person ceases to be of compulsory school age at the end of the day which is the school leaving date for any calendar year —**

- (a) if he attains the age of 16 after that day but before the beginning of the school year next following,
- (b) if he attains that age on that day, or
- (c) (unless paragraph (a) applies) if that day is the school leaving date next following his attaining that age.

## **2. Roles and responsibilities**

2.1. The governing board has overall responsibility for:

- Monitoring the implementation of this policy and procedures of Kirkby la Thorpe CE Primary Academy.
- Promoting the importance of good attendance through the Academy's ethos and policies.
- Arranging attendance training for all relevant staff that is appropriate to their role.
- Working with the SLT to set goals for attendance and providing support and challenge around delivery against those goals.
- Regularly reviewing attendance data.
- Ensuring that this policy, as written, does not discriminate on any grounds, including, but not limited to, ethnicity/national origin, culture, religion, gender, disability or sexual orientation.
- Handling complaints regarding this policy as outlined in the Academy's Complaints Policy.
- Having regard to 'Keeping children safe in education' (2025) when making arrangements to safeguard and promote the welfare of children.
- Ensuring there is a Children Missing Education Policy in place and that this is regularly reviewed and updated.
- Reviewing attendance data, including examinations of recent and historic trends, and will support the SLT in setting goals and prioritising areas of focus for attendance support based on this data.
- Ensuring school staff receive adequate training on attendance.

2.2. The Headteacher is responsible for:

- Being active in their approach to promoting good attendance to pupils and their parents, which includes forming positive relationships with families
- Ensure that their Academy's teaching and learning experiences encourage regular attendance and that pupils are taught the value of high attendance for their own progression and achievement
- Provide accurate and up to date information for assurance processes i.e TSM

- Ensure that legislation and government guidance on attendance is complied with and that they (the leadership team) are up to date with any legislative changes and how to implement them
- Nominate or appoint a senior leader to take the responsibility of overseeing and monitoring attendance provision and that this person has sufficient time and resources to give to this job. They will be named as the Attendance Champion for the Academy
- Ensure that systems to record and report attendance data are in place and working effectively
- Develop and engage with multi-agency relationships to help with poor attendance and support families who are having difficulties getting their child to attend
- Document any specific interventions or steps taken to work with families to improve their child's attendance in case of future legal proceedings
- Notify the relevant LA and provide all necessary information when a pupil name is to be removed from the admission register or when a pupil name is added to the admission register other than at the usual point of transition.
- Provide information requested by the Secretary of State, including the termly absence data the department collects. Teachers and support staff.

2.3. Staff, including teachers, support staff and volunteers, are responsible for:

- Be active in their approach to promoting good attendance to pupils and their parents, which includes forming positive relationships with families
- Ensure that their Academy's teaching and learning experiences are positive and encourage regular attendance and that pupils are taught the value of high attendance for their own personal progression and achievement
- Ensure that they are fully aware and up to date with the Academy's attendance process, legislation and government guidance. Staff will speak to the Academy Attendance Champion or headteacher in the first instance if they are unsure how to deal with an attendance issue
- Ensure that they are following the correct systems for recording attendance
- Contribute to strategy meetings and interventions where they are needed
- Work with external agencies to support pupils and their families who are struggling with regular attendance. Following this policy and ensuring pupils do so too. They are also responsible for ensuring this policy is implemented fairly and consistently.
- Modelling good attendance behaviour.
- Using their professional judgement and knowledge of individual pupils to inform decisions as to whether any welfare concerns should be escalated.
- Where designated, taking the attendance register at the relevant times during the school day.

2.4 Parents/Carers will be responsible for:

- Parents/carers are expected to take responsibility for the attendance of their child during term-time.
- engage with their children's education – support their learning and take an interest in what they have been doing at school
- Promote the value of good education and the importance of regular school attendance at home
- Encourage and support their children's aspirations
- Ensure that their children arrive at their Academy on time, appropriately dressed and with the necessary equipment
- Follow the Academy procedure for reporting the absence of their child and include an expected date for return
- Do everything they can to prevent unnecessary absences, such as making medical and dental appointments outside school hours
- Use their Academy as a support when they or their child are having difficulties, and work to form a positive relationship with their Academy so that there is easy communication when a problem arises
- Keep their Academy informed of any circumstances which may affect their child's attendance
- Enforce a regular routine at home in terms of homework, bedtime, etc. so that the child is used to consistency and their Academy day becomes part of that routine. It is vital that the pupil receives the same message at home as they do at school about the importance of attendance
- Not take their children out of their Academy for holidays during term time. Where parents would like to make a special request for this, they may do so to the Headteacher and this will be for exceptional circumstances only
- Providing our Academy with more than one emergency contact number.

- Inform their Academy in advance of any proposed change of address for their child(ren) along with the name of the parent with whom the child shall live and update the Academy when these change
- Parents/carers are expected to ensure that their child attends school every day and on time.
- Proactively engaging with any attendance support offered by the school and the LA.
- Following any family-based support implemented by the school to improve attendance.

2.5 Parents should aim for their child to have an attendance of no lower than 95%



2.6 Pupils are responsible for:

- Their own attendance at school and any agreed activities throughout the Academy year.
- Pupils will be encouraged to communicate any concerns related to attendance and absence as soon as possible to the relevant member of staff.
- Be aware of their Academy's attendance rules, and when and what they are required to attend. This will be communicated to them through the Academy staff, parents and the Academy timetable
- Speak to a member of staff if they are experiencing difficulties at school or at home which may impact on their attendance
- Attend all lessons ready to learn, with the appropriate learning tools requested and on time for the class.
- Follow the correct set Academy procedure if they arrive late.
- Following any support provided by the school to improve attendance.

### 3 Definitions

3.1 For the purpose of this policy, the Academy defines:

- **"Absence"** as:
  - Arrival at Academy after the register has closed.
  - Not attending Academy for any reason.
  - Unauthorised/authorised discretion of head.
  - Exclusions will be authorised
- An **"authorised absence"** as:
  - An absence for sickness for which the Academy has granted leave.
  - Medical or dental appointments which unavoidably fall during Academy time, for which the Academy has granted leave.
  - Religious or cultural observances for which the Academy has granted leave.
  - An absence due to a family emergency.
- An **"unauthorised absence"** as:
  - Where the Academy has reason to question the authenticity of the explanation provided for the absence
  - Truancy before or during the Academy day.
  - Absences which have never been properly explained.
  - Arrival at Academy after the register has closed.
  - Absence due to shopping, looking after other children or birthdays.
  - Absence due to day trips and holidays in term-time which have not been agreed.
  - Leaving Academy for no reason during the day.
  - Where the Academy has cause to question the authenticity of the explanation for the absence.

- **“Persistent absenteeism”** as:
  - Missing 10 percent or more of school across the year **for any reason**.

#### Missing education

- Not registered at a school and not receiving a suitable education in setting other than as school.
- For further information please review to the Children Missing in Education Policy.

## 4 Training of staff

4.1 Our Academy recognises that early intervention can prevent poor attendance. As such, teachers will receive training in identifying potentially at-risk pupils as part of their induction and refresher training.

4.2 The governing body will provide dedicated and enhanced attendance training to the Attendance Officer and other staff with specific attendance functions in their role. This will include training regarding interpreting and analysing attendance data and supporting pupils to overcome barriers to attendance.

The training will cover at least the following:

- The importance of good attendance.
- That absence is almost invariably a result of wider circumstances.
- The legal requirements on Academy e.g. the keeping of registers.
- The Academy’s strategies and procedures for monitoring and improving attendance.
- The Academy’s procedures for multi-agency working to provide intensive support for pupils who need it.

4.3 Teachers and support staff will receive regular and ongoing training as part of their development.

## 5 Poor Attendance

5.1 When a pupil has not been attending school regularly, the LA have the options of:

- Issuing a penalty notice in respect of the parents of a child.
- Bringing proceedings before the family courts for an Education Supervision Order.
- Prosecuting the parents under section 444 before the Magistrates Court.

5.2 Non school attendance includes any day when a child should be in attendance at school, and they are absent without the authorisation of the school, this includes:

- When a child is persistently absent and the unauthorised absence reaches 10% or more. This also includes lateness after the close of register where the U code is being used.
- Where a child is present in a public place during school hours without reasonable justification during the first five days of an exclusion/suspension.
- Unauthorised holiday during term time. In the above cases a penalty notice can be issued to the parent/s who have 21 days to make the payment.

5.3 Further information and details on fining costs this can be found in Annex A. In addition, Appendix 1 to Annex A is a copy of the Academy’s letter to parents regarding Penalty Notices and Appendix 2 to Annex A is a notice from Lincolnshire County Council which sets out the new legislation and rules in an easy-to-read format.

## 6 Pupils at risk of Persistent Absence (PA) and Severe Absence (SA)

6.1 A pupil is classed as a Persistent Absentee (PA) if they miss 10% or more of school in a year—equivalent to 19 days (38 sessions). This level of absence significantly affects learning and requires full parental support to address. A pupil is classed as Severely Absent (SA) if they miss 50% or more of school. These pupils often face greater barriers to attendance and may need intensive, tailored support.

We closely monitor all pupil attendance to identify those at risk of becoming PA or SA. Where concerns arise, we implement timely interventions and may refer families to external agencies for additional support.

If parents do not engage with support and attendance remains poor, we may request the Local Authority to consider legal action. This can include:

- A Penalty Notice,
- An Education Supervision Order, or
- Prosecution in the Magistrates’ Court.

Legal proceedings can be initiated without issuing a penalty notice first if attendance is significantly low. Information regarding Penalty Notices legislation and when they can be issued is detailed in Annex A.

6.2 There are various groups of pupils who may be vulnerable to high absence and PA, such as:

- Children in need.
- LAC.
- Pupils who are eligible for FSM.
- Pupils with EAL.
- Young Carers
- Pupils with SEND.
- Pupils who have faced bullying and discrimination.

6.3 The Academy will use a number of methods to help support pupils at risk of PA to attend school. These include:

- Offering catch-up support to build confidence and bridge gaps.
- Meeting with pupils to discuss patterns of absence, barriers to attendance, and any other problems they may be having.
- Leading weekly check-ins to review progress and the impact of support.
- Making regular contact with families to discuss progress.
- Assessing whether an EHCP plan or IHP may be appropriate.
- Considering what support for re-engagement might be needed, including for vulnerable groups.

6.4 The Academy will focus particularly on pupils who have absence rates of over 10%, and will work with the LA and other partners to engage all relevant services needed to identify and address the wider barriers to attendance these pupils are facing. In particular the SLT will:

- Establish a range of evidence-based interventions (e.g. Emotional Based School Avoidance resources) to address barriers to attendance.
- Monitor the implementation and quality of escalation procedures and seek robust evidence of the escalation procedures that work.
- Attend or lead attendance reviews in line with escalation procedures.
- Establish robust escalation procedures which will be initiated before absence becomes a problem by:
  - sending letters to parents/carers;
  - engaging with the LA Inclusion and Attendance team; and
  - using penalty notices.
  - SAP meetings

6.5 Where a pupil at risk of PA is also at increased risk of harm, the Academy will work in conjunction with all the relevant authorities, e.g. Social Services, to support the pupil in line with the Academy's duty of care. The Academy will also bear in mind that the continuation of severe PA following intervention may, in itself, constitute neglect, and will escalate any concerns in this regard in line with the Child Protection and Safeguarding Policy.

6.5 Pupils will be supported through the use of Early Help Assessments and Team Around the Child meetings and other referral services, to provide pastoral and academic input in response to any unauthorised absences as appropriate.

## 7 Absence procedures

### Responding to non-attendance

7.2 Parents/carers will be required to contact the Academy office via telephone before 08.45 on each day of their child's absence – they will be expected to provide an explanation for their absence and an estimation of how long the absence will last e.g. one Academy day. Parents must specify what 'ill' means as this will not be taken as a sufficient reason.

Having an injury is not necessarily a reason to be absent from the Academy. Parents should contact the Academy as soon as possible to clarify whether their child is able to continue to attend school. For the majority of injuries, learners will still be able to attend the Academy with reasonable adjustments being made for them.

7.3 **First day of absence:** Attempts will be made to contact the parent/carer of any pupil, or any other identified contacts, if a child's absence has not been reported by the close of the morning register as soon as is practicable on the first day that they do not attend school. Where there are concerns for a child's welfare, a home visit may be conducted.

7.4 **Second day of absence:** If a child is still absent and no explanation has been received by the Academy, further attempts will be made to make contact with the parents/carers of the child, or any other identified contacts. Again, a home visit may be conducted.

7.4 **Third day of unexplained absence:** Depending on the individual circumstance, the following actions may be undertaken:

- Contact the Children Missing in Education Team at the LA for advice;
- Conduct a home visit;
- Contact Customer Services at the Safeguarding team and make a safeguarding referral.
- Logs to be made on CPOMS.

7.5 Where a pupil is absent for more than 3 days in a row or, more than 10 school days in one term the pupil's parent/carer will be expected to provide a signed letter with an explanation for the absences. In addition, medical evidence may be requested if applicable. Parents can access their child's medical records for free via the NHS App [Log in - NHS App Online \(service.nhs.uk\)](https://www.nhs.uk/Log-in-NHS-App-Online)

7.6 The Academy will not request medical evidence in most circumstances where a pupil is absent due to illness; however, the Academy reserves the right to request supporting evidence where there is genuine and reasonable doubt about the authenticity of the illness.

7.7 In the case of PA, arrangements will be made for parents to speak to the Attendance Officer. The Academy will inform the LA on a termly basis, of the details of pupils who fail to attend regularly or, who have missed 10 school days or more without authorisation.

7.8 If a pupil's attendance drops below 85%, the Attendance Officer will be informed, and a formal meeting will be arranged with the pupil's parent/carer.

7.9 Where a pupil has not returned to school for 10 days after an authorised absence or, is absent from school without authorisation for 20 consecutive school days, our school will remove the pupil from the admissions register if the Academy and the LA have failed to establish the whereabouts of the pupil after making reasonable enquiries. A step by step guide to school procedure for monitoring pupil absence is at Annex B.

#### Attendance Monitoring

7.10 Pupil attendance will be monitored on a termly basis and a series of 'traffic light' letters will be used to inform parents/carers of their child's attendance as detailed in Annexes C, D and E.

7.11 Every half term, parents/carers will be sent an attendance target letter, outlining their child's attendance for the most recent half term, and year to date. Attendance 95+% is classed as 'green'.

7.12 Where a child's attendance falls below 95%, parents/carers will be sent an 'amber' letter, indicating that their child's attendance is being closely monitored.

7.13 Where attendance falls below 90%, parents/carers will be sent a 'red' letter, explaining that if their child's attendance does not improve, further action will be taken. If attendance does not improve a Notice to Improve Letter will be sent. Notice to Improve guidance and a copy of the Notice to Improve letter are at Appendices 3 and 4 to Annex A respectively.

7.14 At all stages, a running record of communication and support will be kept as evidence.

7.15 The Academy will use attendance data, in line with the Monitoring and Analysis Absence section of this policy, to develop specific strategies to improve attendance where patterns of absence are emerging. These strategies will be developed on a case-by-case basis, and will consider the particular needs of the pupils whom the intervention is designed to target.

#### School Attendance Support Meeting

7.16 When the Academy has concerns about the attendance level of a learner, they will invite the parent(s)/ carers in to discuss the issues surrounding the poor attendance. This is known as an Academy attendance panel meeting. The meeting will be held by the Academy and an educational welfare officer may be in attendance, depending on the level of attendance. During this meeting an action plan will be created and this will be shared with parents/carers. A target for the learner's attendance and a review date will be set. Additional support through the Early Help process will also be discussed at the meeting where appropriate. A copy of the Action Plan template is at Annex F.

#### Pupil Not Attending Regularly (PNAR)

7.17 Where a learner has missed 10 consecutive days of learning, without prior consent, the Academy will inform the Local Authority.

## 8 Attendance Register

8.1 The Academy gates open at 8.30am, registration is at 8:45 and closes at 8:50. Pupils arriving after this time, but before 9:15 will be marked as Late. Pupils arriving after 9:15, will be marked as unauthorised absence and this impact upon pupils overall attendance. Afternoon registers are at 1:15 and finish at 1:30. The Academy day finishes at 3.15pm. Class teachers will complete the attendance register, using Integris, at the start of the Academy day and at the start of the afternoon session. This register will record whether pupils are:

- Present;
- Absent;
- Attending an approved educational visit or sporting event; or
- Unable to attend due to exceptional circumstances.

8.2 Our Academy will use the national attendance codes to ensure attendance and absence are monitored and recorded in a consistent way. The following codes will be used:

- / = Present in the morning
- \ = Present in the afternoon
- B = Approved Off-site education activity
- C = Leave of absence granted by the Academy for exceptional circumstances
- C1 = Leave of absence for participating in a regulated performance or employment abroad
- C2 = Leave of absence for part-time pupils
- D – Dual Registered (at another establishment – NOT counted in attendance)
- E = Suspended or permanently excluded but no alternative provision made
- G = Unauthorised holiday
- I = Illness
- J = Leave of absence for job or education interviews
- K = Attending provisions arranged by the LA
- L = Late arrival before the register has closed (before 9.15am or 1.15pm)
- M = Authorised due to Medical or dental appointments
- N = Unauthorised Reason not yet provided
- O = Unauthorised absence
- P = Approved as Participating in a supervised sporting activity
- Q = Absent due to lack of access arrangements
- R = Authorised due to Religious observance
- S – Authorised due to Study Leave
- T = Gypsy, Roma and Traveller absence – parent travelling for occupational purposes
- U = Unauthorised as Arrived after registration closed (after 9.15am or 1.15pm)
- V = Approved as Educational visit or trip
- W = Attending work experience
- X = Not required to be in Academy for non-compulsory school age children
- Y1 = Absent due to their regular transport not being available
- Y2 = Absent due to travel disruption
- Y3 = Absent due to part of the school premises being closed
- Y4 = Absent due to the school site being closed
- Y5 = Absent due to being in criminal justice system
- Y6 = Absent due to public health guidance or law
- Y7 = Absent due to any other unavoidable cause
- Z – Pupil not yet on roll – not counted in attendances

8.3 Where school has planned in advance to be fully or partially closed, the code ‘#’ will be used for the relevant pupils who are absent.

8.4 Every entry received into the attendance register will be preserved for three years.

8.5 The Administrator or Bursar will complete the ‘Educational setting status form’ on a daily basis, based on the information on the attendance register.

## **9 Attendance Officer and Attendance Champion**

9.1 The Attendance Officer (Mrs Janet Adams) and Attendance Champion (Mrs Clare Early) will be responsible for the overall strategic approach to attendance in school and develop a clear vision for improving attendance.

9.2 If pupils are persistently absent, the Attendance Officer on behalf of the Headteacher/Attendance Champion will attempt to resolve the situation through a parent/carer agreement.

9.3 If the situation cannot be resolved and attendance does not improve, the Attendance Officer has the power to issue sanctions such as prosecutions or penalty notices to parents/carers (as explained above).

9.4 The Attendance Officer will monitor and analyse attendance data regularly to ensure that intervention is delivered quickly to address habitual absence at the first signs. The Academy will collect data regarding punctuality, truancy, and authorised and unauthorised absence for:

- The Academy cohort as a whole.
- Individual year groups.
- Individual pupils.
- Demographic groups e.g pupils from different ethnic groups or economic background.
- Other groups of pupils r.g. SEND, LAC, and pupils eligible for FSM.
- Pupils at risk of PA.

9.5 The Attendance Officer will conduct a thorough analysis of the above data at least every half term to identify patterns and trends and will identify areas of intervention and improvement and review the impact of interventions. This will include identifying, for each group:

- Patterns in uses of certain codes.
- Particular days of poor attendance.
- Historic trends of attendance and absence.
- Barriers to attendance.

9.6 The Attendance Officer will monitor attendance and the impact of interventions.

9.7 The Attendance Officer will communicate with pupils and parents/carers with regard to attendance.

9.8 The Attendance Officer will follow up on incidents of persistent poor attendance.

9.9 The Attendance Officer will provide regular reports (at least every half term) reports to class teachers across the Academy to enable them to track the attendance of pupils and to implement attendance procedures.

9.10 The Attendance Office will inform the LA of any pupils being deleted from the admission and attendance registers.

9.11 The Attendance Officer will lead a compassionate approach when listening to parents and pupils regarding barriers to attendance.

9.12 The Attendance Officer will enforce attendance through statutory interventions in cases of persistent poor attendance where other supports have not succeeded.

9.13 The Attendance Officer will benchmark its attendance data against local, regional and national level data to identify areas of success and areas for improvement, and will share practice which has been shown to be effective with other schools.

## **10 Lateness**

10.1 The Academy has high expectations for pupils' attendance and punctuality, and ensures that these expectations are communicated regularly to parents/carers and pupils.

10.2 Punctuality is of the utmost importance and lateness will not be tolerated.

10.3 The Academy gates open at 8:30am and registration starts at 8.45am. We expect pupils to be in their classroom by 8:45 ready to begin lessons at this time; therefore pupils will be expected to be on the Academy site by 8.40am. Pupils will have a morning break at 10.45am, which will last until 11.05am, and a lunch break at 12.20am for KS1 and 12.30 for KS2, which will last until 1.15pm – pupils will be expected to have returned from each break and be ready to commence learning at the stated times.

10.4 The Academy gate will lock by 8:45am. If a pupil arrives after 8:45am but before 9:15am they will be recorded as late (L)

10.5 The register closes at 9:15am. Attendance after the register closes will be marked as a U to show that they are on site, but this will count as an absent mark.

10.6 Any learner that is arriving after 8:45am when the gates are locked will be required to report to the Academy office who will sign the child into school and request a reason for late arrival.

10.7 Parents/Carers of children that are repeatedly late are spoken to at the time of signing in or by the class teacher at the end of the day and notes of the conversation are added to the Academies MIS .Where no

improvement has been made parents/carers may be invited to attend a SAP meeting to discuss further with the Academy's Attendance Champion .

10.8 After lunch, registers are marked by 1.20pm. Pupils will receive a late mark if they are not in their classroom by this time.

10.9 The register closes at 1:40pm. Pupils attending after this time will receive a mark to show that they were on site, but this will count as a late mark.

## 11 Authorising Parental Absence Request

### Leave of absence

11.1 The academy is not able to authorise holidays during term time unless there are specific exceptional circumstances. This is at the discretion of the Headteacher and Attendance Champion. If parents/carers feel that their circumstances are exceptional, then they must make a request in writing for consideration by the headteacher who will decide whether or not the holiday will be authorised and for how long the learner is permitted to be absent. If parents/carers chose to take their children out of the academy without authorisation from the headteacher, this absence will be coded as unauthorised. The academy will then make an application to the local authority for a Penalty Notice to be issued.

11.2 If term-time leave is not granted, taking a pupil out of school will be recorded as an unauthorised absence and may result in sanctions, such as a penalty notice. The school cannot grant leaves of absence retrospectively; therefore, any absences that were not approved by the school in advance will be marked as unauthorised. Failure to pay a Penalty Notice may result in further legal action being taken by the local authority in the form of the Single Justice Process in the Magistrates Court.

11.3 We would like to remind all families of the legal framework surrounding term-time holidays and the issuing of penalty notices for unauthorised absences, in conjunction with advice from the Local Authority. Please be aware that **there is no right of appeal** against a penalty notice once it has been issued. The decision to authorise or unauthorise an absence rests solely with the Academy. It is important to remember you should discuss any concerns you have with the school **before** a leave of absence is considered. We understand that some employers may restrict when holidays can be taken, and that travel costs can vary significantly throughout the year. However, **neither of these factors constitutes an exceptional circumstance.**, according to guidance from the Department for Education, **Working together to improve school attendance (applies from 19 August 2024)** and **Resources for families/Children's Commissioner for England** and therefore cannot be considered as a valid reason for authorising term-time leave.

## 12 SEND and health-related absences

12.1 The Academy Recognises that pupils with SEND and/or health conditions, including mental health issues, may face greater barriers to attendance than their peers, and will incorporate robust procedures to support pupils who find attending school difficult.

12.2 In line with SEND Policy and Supporting Pupils with Medical Conditions Policy, the Academy will ensure that reasonable adjustments are made for disabled pupils to reduce barriers to attendance, in line with any ECH plans or IHPs that have been implemented. The Academy will secure additional support from external partners to help bolster attendance where appropriate.

12.3 Where the Academy has concerns that a pupils' non-attendance may be related to mental health issues, parents will be contacted to discuss the issue and whether there are any mental health issues, parents/carers will be contacted to discuss the issue and whether there are any contributory factors to their child's lack of attendance. Where staff have a mental health concern about a pupil that is also a safeguarding concern, they will inform the DSL and the Child Protection and Safeguarding Policy will be followed. All pupils will be supported with their mental health, as appropriate for example, support from our ELSA and use of the ATTEND framework.

12.4 If a pupil is unable to attend school for long periods of time due to their health, the Academy will:

- Inform the LA if a pupil is likely to be away from school for more than 15 Academy days.
- Provide the LA with information about the pupil's needs, capabilities and programme of work.
- Help the pupil reintegrate at school when they return.
- Make sure the pupil is kept informed about Academy events and clubs.
- Encourage the pupil to stay in contact with other pupils during their absence.

12.5 The Academy will incorporate an action plan to help any pupils with SEND and/or health issues cope with the stress and anxiety that attending school may cause them. Such plans will be regularly monitored and reviewed until the pupil is attending school as normal and there has been signs of significant improvement.

- 12.6 To support the attendance of pupils with SEND and/or health issues, the Academy will consider:
- Holding termly meetings to evaluate any implemented reasonable adjustments.
  - Incorporating a pastoral support plan.
  - Carrying out strengths and difficulties questionnaire (via ATTEND Framework).
  - Identifying pupils' unmet needs through the Common Assessment Framework.
  - Using an internal or external specialist.
  - Enabling a pupil to have a reduced timetable.
  - Ensuring a pupil can have somewhere quiet to spend lunch and breaktimes.
  - Implementing a system whereby pupils can request to leave a classroom if they feel they need time out.
  - Temporary late starts or early finishes.
  - Phased returns to school where there has been a long absence.
  - Small group work or one-to-one lessons.
  - Tailored support to meet their individual needs.

## **13 Missing Children**

13.1 Pupils will not be permitted to leave the premises during the Academy day unless they have permission from the Academy. The following procedures will be taken in the event of a pupil going missing whilst at school:

- The member of staff who has noticed the missing pupil will inform the Headteacher immediately.
- The office staff will be informed as they will act as a point of contact for receiving information regarding the search.
- A member of staff will stay with the rest of the class, and all other available members of staff will conduct a thorough search of the Academy premises as directed by the Headteacher.
- The following areas will be systematically searched:
  - All Classrooms
  - All toilets
  - Changing rooms
  - The Library
  - Any outbuildings
  - The Academy grounds
- Available staff will begin a search of the area immediately outside of the Academy premises, and will take a mobile phone with them so they can be contacted.
- If the pupil has not been found after 10 minutes, then the parents of the pupil will be notified.
- The Academy will attempt to contact parents/carers using the emergency contact numbers provided.
- If the parents/carers have had no contact from the pupil, and the emergency contacts list has been exhausted, the police will be informed.
- The missing pupil's teacher will fill in an incident form, describing all circumstances leading up to the pupil going missing.
- If the missing pupil has an allocated social worker, is a looked-after child, or has any SEND, then the appropriate personnel will be informed.
- When the pupil has been located, members of staff will care for and talk to the pupil to ensure that they are safe and well.
- Parents/carers and any other agencies will be informed immediately when the pupil has been located.

13.2 The Headteacher will take the appropriate action to ensure that pupils understand they must not leave the premises, and sanctions will be issued if deemed necessary. Appropriate disciplinary procedures will be followed in accordance with the Behaviour Policy.

13.3 The Headteacher will carry out a full investigation and will draw a conclusion as to how the incident occurred. A written report will be produced, and policies and procedures will be reviewed in accordance with the outcome where necessary.

## **14 Religious Observances**

14.1 Parents will be expected to request absence for religious observance at least two weeks advance.

14.2 The school will only accept requests from parents for absence on grounds of religious observance for days that are exclusively set apart for religious observance by the relevant religious body. The school will define this as a day where the pupil's parents would be expected by an established religious body to stay away from their employment to mark the occasion.

14.3 The school may seek advice from the religious body in question where there is doubt over the request.

14.4 Gypsy, Roma and Traveller absence. Where a pupil's parent belongs to a community covered by this code and is travelling for occupational purposes, the parent will be expected to request a leave of absence for their child at least two weeks in advance. Absences will not be granted for pupils from these communities under this code for reasons other than travel for occupational purposes.

## **15 Appointments**

15.1 As far as possible, parents/carers will attempt to book medical and dental appointments outside of Academy hours.

15.2 Where this is not possible, the Academy office should be informed. This may be through a telephone, email (enquiries@kltprimary.co.uk) or letter.

15.3 If the appointment requires the pupil to leave during the school day, they will be signed out at the Academy office by a parent/carer.

15.4 Pupils will attend school before and after the appointment wherever possible.

## **16 Performances and activities, including paid work**

16.1 The Academy will ensure that all pupils engaging in performances or activities, whether they receive payment or not, which require them to be absent from school, understand that they will be required to obtain a licence from the LA which authorises school's absence(s).

16.2 Additional arrangements will be made the Academy for pupils engaging in performances or activities that require them to be absent from school to ensure that they do not fall behind in their education – this may involve private teaching. These arrangements will be approved by the LA who will ensure that the arrangements are suitable for the pupil.

16.3 The pupil will receive an education that, when taken together over the term of the licence, amounts to a minimum of three hours per day that the pupil would be required to attend a school maintained by the LA issuing the licence. This requirement will be met by ensuring a pupil receives an education

- For not less than six hours a week; and
- During each complete period of four weeks (or if there is a period of less than four weeks, then during that period), for periods of time not less than three hours a day; and
- On days where the pupil would be required to attend school if they were attending a school maintained by the LA; and
- For not more than five hours on any such day.

16.4 Where a licence has been granted by the LA and it specifies dates of absence, no further authorisation will be needed from the school. Where an application does not specify dates, and it has been approved by the LA, it is at the discretion of the Headteacher to authorise the leave of absence for each day. The Headteacher will not authorise any absences which would mean that a pupil's attendance will fall below 95%. Where a licence has not been obtained, the Headteacher will not authorise any absence for a performance or activity.

## **17 Young carers**

17.1 Our Academy understands the difficulties that face young carers.

17.2 We will endeavour to identify young carers at the earliest opportunity from enrolment at the Academy and throughout their time at the Academy.

17.3 We will take a caring and flexible approach to the needs of young carers and each pupil will be examined on a case-by-case basis, involving other agencies if appropriate.

## **18 Rewarding good attendance**

18.1 The Academy acknowledges 95% attendance in the following ways every half-term:

- Good attendance certificates.
- Entry to a book voucher prize draw.

## **19 Legal Intervention**

19.1 The Academy will allow sufficient time for attendance interventions and engagement strategies to improve pupils' attendance; however, where engagement strategies to improve attendance have not had the desired affect after one term, the Attendance Officer will consider:

- Holding a formal meeting with parents/carers and the school's Attendance Officer
- Working with the LA to put a parenting contract or an education supervision order in place.
- Engaging with children's social care where there are safeguarding concerns.

19.2 Where the above measures are not effective, the Headteacher will issue a penalty notice in line with the LA's code of conduct. Where attendance still does not improve following a penalty notice, the school will work with the LA to take forward prosecution as a last resort.

## **20 Education Supervision Orders**

20.1 Where interventions have not been successful, an ESO can be an alternative to provide formal legal intervention without criminal prosecution. ESOs are made through the Family or High Court and give the LA a formal role in supporting the pupil and parents to improve their attendance. Las will issue parents with a notice of the intention to consider an ESO, set up a meeting to discuss with the parent/carer and pupil, and decide whether the case will be taken forward.

20.2 Once an ESO is secured, a supervisor from the local authority will decide any actions or requirements. These may include:

- Requiring the parents to attend support meetings
- Requiring the parents to attend a parenting programme
- Requiring the parents to access support services
- Requiring an assessment by an educational psychologist
- Review meetings involving all parties to be help every 3 months

20.3 Failing to comply with an ESO will result in a fine and decisions will be made about whether further action is required.

## **21 Exclusion/Suspensions**

21.1 Exclusion and suspensions are treated as authorised absences

## **22 Reduced/Part-time Timetables**

22.1 A reduced timetable is a provision made for individual pupils who require this specific short-term provisions to meet their individual needs. This is usually due to pupils returning from a long-term absence following illness or injury to where a pupil has a specific social, emotional or mental health needs.

22.2 A reduced timetable can only be implemented with the consent of the parent and must be reviewed every four weeks with them, consent must be put in writing. Without consent, the part time timetable cannot happen.

22.3 A meeting will be held with a parent/carer and relevant professionals to discuss the timetable, set targets for the intervention and set a review date within 4 weeks of the initial meeting.

22.4 A reduced timetable has a significant impact on learner attendance data and is only considered as a last resort.

22.5 Once the reduced timetable has been agreed this will be logged with the local authority. Any pupil attending less than 25 hours is classes as accessing a part-time timetable.

22.6 The record of the reduced timetable will be uploaded to the pupil file

## **23 Leavers**

23.1 There are many reasons why children leave an Academy over the course of year. This can include:

- Moving house and the Academy is too far from the new address
- Moving country
- Moving Academy through parental choice
- Moving Academy due to the needs of a learner

- Service personnel posting

23.2 In order to complete all the necessary checks, the Academy will ask parents/ carers to complete a leavers form. This form asks for information which enables a school to remove a child from the admission register. Without all the information, the Academy has to log a child as missing in education.

## **24 Elective Home Education (EHE)**

24.1 It is a parent's right to home educate their child if that is what they wish. The local authority must make arrangements to find out so far as possible whether home educated children are receiving suitable full-time education.

24.2 If parents/ carers are considering home educating their child/children they must first discuss this with the Academy.

24.3 A meeting will be held to discuss the parents/ carers options.

24.4 Confirmation will then need to be given in writing by parents/ carers of the intention to home educate.

24.5 The Local Authority will then make arrangements to visit parents to check on the quality of the education.

24.6 Further information can be found here:

<https://www.lincolnshire.gov.uk/Academy-attendance/home-education>

## **25 Emotionally Based School Avoidance (EBSA)**

25.1 Very rarely, some learners can develop severe anxiety about coming to Academy. Their attendance can start to decline significantly and suddenly.

25.2 In order to support learners with these needs, the Academy is able to access support from a variety of professionals who are experts in this field.

25.3 If parents/ carers are concerned that their child may be experiencing this, they should contact the Academy at their earliest possible opportunity. The earlier a child is supported the better the outcomes are for them.

## ANNEX A

### ADDITIONAL INFORMATION RELATING TO POOR ATTENDANCE

#### IMPORTANT UPDATES IN SCHOOL ATTENDANCE: PENALTY NOTICES AND UNAUTHORISED ABSENCE

1. Non school attendance includes any day when a child should be in attendance at school, and they are absent without the authorisation of the school, this includes:

- When a child is persistently absent and the unauthorised absence reaches 10% or more. This also includes lateness after the close of register where the U code is being used.
- Where a child is present in a public place during school hours without reasonable justification during the first five days of an exclusion/suspension.
- Unauthorised holiday during term time.

2. In the above cases a penalty notice can be issued to the parent/s who have 28 days to make the payment. Further information on this can be found on the Lincolnshire County Council website.

#### Unauthorised absence

3. These could be situations where a learner is absent without valid reason or permission. This could include being absent without notifying the school of the reason, taking term time holidays, arriving late to school, leaving early without a valid reason or truanting. Occasionally, we may request evidence to validate an absence. For instance, providing a medical appointment letter can change an absence from unauthorised to authorised.

#### Penalty notices and prosecution

4. It is important to be aware that poor attendance may result in the issuing of penalty notices to parents. These notices can apply to term-time holidays, any unauthorised absences, or a combination of both.

5. The national threshold for issuing a penalty notice in England is 10 sessions of unauthorised absence within a 10-week period. This typically equates to 5 school days. (e.g. 4 sessions of holiday taken in term time plus 6 sessions of arriving late after the register closes all within 10 school weeks). These sessions can be consecutive (e.g. 10 sessions of holiday in one week) or not (e.g. 6 sessions of unauthorised absence taken in 1 week and 1 per week for the next 4 weeks). The period of 10 school weeks can also 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).

6. A Penalty Notice can be issued under the following legislation:

- **Section 7 of the Education Act 1996 places upon parents a duty to ensure that their child receives efficient full-time education either by regular attendance at school or otherwise**
- **Where a child is a registered pupil at a school and the parent fails to ensure that child's regular attendance at school the parent is liable to be prosecuted for a criminal offence under Section 444 of the Education Act**
- **In cases where this duty is not being fulfilled Section 444B of the same Act empowers the Local Authority to issue a Penalty**

7. Please note: A Penalty Notice can also be issued if your child is seen in a public place within the first 5 days of an exclusion from their school.

- **Section 103 of the Education and Inspections Act 2006 makes it a duty for parents in relation to pupils subject to a fixed period or permanent exclusion to ensure that their child is not present in a public place during school hours, without reasonable justification, during the first five days of any such exclusion. If a child is present in a public place during the first five days of an exclusion**

during school hours the parent Page 12 of 12 may be guilty of an offence for which they can be prosecuted by the LA before a magistrates' court or issued with a Penalty Notice.

8. See below for further information:

Penalty Notice	Details
First Notice in a 3-year period:	Issued to each parent. Charged at £80 if paid within 21 days. £160 if paid within 28 days.
Second Notice in a 3-year period:	Issues to each parent. Charged at a flat rate of £160 if paid within 28 days.
Third Notice in a 3-year period:	Alternative action should be taken, for example prosecution or other attendance legal interventions. Fines per parent are capped at two within any 3-year period. If a parent is prosecuted for their child's non-attendance, they could face a fine of up to £2500.

It is important that fines are a last resort, and parents are offered support from the Academy on many occasions to improve their child's attendance first.

# APPENDIX 1 TO ANNEX A

## PENALTY NOTICE LETTER TO PARENTS

Dear Parents and Carers

As part of our commitment to maintaining high levels of school attendance, we would like to inform you about some important changes regarding holiday absences and unauthorised leave. These changes align with the Department for Education (DFE) updated guidance on improving school attendance, effective from 19<sup>th</sup> August 2024 in collaboration with the Local Authority.

The Academy consistently emphasises the significance of good attendance. We recognise that absences impact not only a student's academic performance but also their social well-being within the school community. The Academy closely monitors the attendance of all our learners and communicates with families when concerns arise. Our aim is to continue to work collaboratively with the families to address any issues and we will provide support and explore solutions together to support all learners to be in school regularly and on time.

### Penalty notices and prosecution.

It is important to be aware that poor attendance may result in the issuing of penalty notices to parents. These notices can apply to term-time holidays, any unauthorised absences, or a combination of both. The national threshold for issuing a penalty notice in England is 10 sessions of unauthorised absence within a 10-week period. This typically equates to 5 school days. (e.g. 4 sessions of holiday taken in term time plus 6 sessions of arriving late after the register closes all within 10 school weeks). These sessions can be consecutive (e.g. 10 sessions of holiday in one week) or not (e.g. 6 sessions of unauthorised absence taken in 1 week and 1 per week for the next 4 weeks). The period of 10 school weeks can also 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).

A Penalty Notice can be issued under the following legislation:

- **Section 7 of the Education Act 1996 places upon parents a duty to ensure that their child receives efficient full-time education either by regular attendance at school or otherwise**
- **Where a child is a registered pupil at a school and the parent fails to ensure that child's regular attendance at school the parent is liable to be prosecuted for a criminal offence under Section 444 of the Education Act**
- **In cases where this duty is not being fulfilled Section 444B of the same Act empowers the Local Authority to issue a Penalty**

Please note: A Penalty Notice can also be issued if your child is seen in a public place within the first 5 days of an exclusion from their school.

- **Section 103 of the Education and Inspections Act 2006 makes it a duty for parents in relation to pupils subject to a fixed period or permanent exclusion to ensure that their child is not present in a public place during school hours, without reasonable justification, during the first five days of any such exclusion. If a child is present in a public place during the first five days of an exclusion during school hours the parent may be guilty of an offence for which they can be prosecuted by the LA before a magistrates' court or issued with a Penalty Notice.**

See below for further information:

Penalty Notice	Details
First Notice in a 3 year period:	Issued to each parent. Charged at £80 if paid within 21 days £160 if paid within 28 days.
Second Notice in a 3 year period:	Issued to each parent. Charged at a flat rate of £160 if paid within 28 days.
Third Notice in a 3 year period:	Alternative action should be taken, for example prosecution or other attendance legal interventions. Fines per parent are capped at two within any three-year period. If a parent is prosecuted for their child's non-attendance, they could face a fine of up to £2,500.

It is important to note that fines are a last resort, and parents are offered support from the academy on many occasions to improve their child's attendance first. Below is a reminder of the key attendance procedures to note:

### Reporting absence

If your child is absent from school, please promptly notify the academy providing the reason on each and every day of the absence. Accurate and detailed attendance records are essential, and your swift action contributes to this.

### Medical Appointments

While we encourage scheduling medical appointments outside of school hours, we understand that it's not always feasible. If you must have an appointment during the school day, please take only the essential time away from school to minimise disruptions to your child's education. Additionally, we kindly request that you provide the academy with a copy or screen shot of the appointment letter so that we can document it in the child's file.

### Term time holidays.

The DFE emphasises that term-time holiday should be avoided. Absence during this time can significantly impact your child's education. We kindly request that you plan holidays during breaks to minimise disruption in learning. Any such absences will be recorded as an unauthorised absence.

If you believe there are exceptional circumstances that require a term-time holiday, please submit a written request to the academy as soon as possible and an appropriate meeting or discussion will take place. We will assess each case individually and provide guidance accordingly. However, if we determine that the circumstances do not qualify as exceptional, we will notify you in writing, indicating that you may be subject to a penalty notice issued by the local authority, which could result in legal action.

### Unauthorised absence

These could be situations where a learner is absent without valid reason or permission. This could include being absent without notifying the school of the reason, taking term time holidays, arriving late to school, leaving early without a valid reason or truanting. Occasionally, we may request evidence to validate an absence. For instance, providing a medical appointment letter can change an absence from unauthorised to authorised.

Thank you for your cooperation in ensuring that your child's education remains a priority. If you have any questions, or you would like any support with the attendance of your child, feel free to contact the Attendance Officer, Mrs Adams at [enquiries@kltprimary.co.uk](mailto:enquiries@kltprimary.co.uk).

Yours Sincerely,

Mrs C Early  
Headteacher

# Attendance

## Supporting you to understand the new rules



A National Framework for Penalty Notices for school absences, including unauthorised leave of absences in Term Time, is being introduced following changes to the law.

These new government regulations will come into effect from **19th August 2024**.

### What are these changes?

If a pupil has **10 unauthorised sessions**, which is equal to **5 school days**, within a **10 week period**, a penalty notice may be issued.

This will come under 3 categories: First, Second, and Third offence.

#### First Offence

The first time a Penalty Notice is issued for Term Time leave or unauthorised absences the amount will be:

**£160** per parent, per child if paid within **28 days**, reduced to **£80** per parent, per child if paid within **21 days**.



#### Second Offence

The second time a Penalty Notice is issued for Term Time leave or unauthorised absences the amount will be:

**£160** per parent, per child to be paid within **28 days**. No reduced rate will be offered.



**Third offence and any further offences (within 3 years)** The third time an offence is committed for Term Time leave or unauthorised absences a Penalty Notice will not be issued, and the case will be presented straight to the Magistrates Court.

Magistrates' fines can be up to £2500 per parent, per child. Cases found guilty in Magistrates' Court can show on a Parents future DBS certificate, due to failure to safeguard a child's education.

For any further inquiries about school attendance please visit:

[www.lincolnshire.gov.uk/school-attendance](http://www.lincolnshire.gov.uk/school-attendance)



## APPENDIX 3 to ANNEX A

### NOTICE TO IMPROVE GUIDANCE

#### Notice to Improve guidance

A Notice to Improve is a final opportunity for a parent to engage in support and improve their child's 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/child, or have not worked, a Notice to Improve should be sent to give parents a final chance to engage in further support. Schools are to upload the Notice to Improve letters they send to families, to Lincolnshire County Council via this link <https://www.lincolnshire.gov.uk/xfp/form/982>

A notice to improve must include.

- The parent's name
- The pupils name, date of birth and the school name
- The legal wording below in bold which outlines the parental duty and implications
- The action the school plan to take if attendance has not improved (e.g. prosecution, fine, Education Supervision Order), Further details below in procedure section below.
- A comprehensive summary of all support offered to the pupil/family and any impact this has had, also include any refusals for support offered.
- A clear commentary detailing the contact between school and the parents/carers in relation to absence.
- A timeframe of between 3-6 weeks that school set for the pupil to improve attendance.
- A comprehensive summary of what other support is available to the pupil/family

An invitation for the parent/carer to contact school to discuss and make an appointment to support the child improving their attendance.

#### Legal Wording

##### Persistent absence

**A Penalty Notice can be issued for persistent absence Section 7 of the Education Act 1996 places a duty upon parents to ensure that their child receives efficient full-time education either by regular attendance at school or otherwise. Where a child is a registered pupil at a school and the parent fails to ensure that child's regularly attends school, the parent is liable to be prosecuted for a criminal offence under Section 444 of the Education Act. In cases where this duty is not being fulfilled Section 444B of the same Act empowers the Local Authority to issue a Penalty Notice or a prosecution.**

Being present in a public place during an exclusion

A penalty notice can be issued for being present in a public place when excluded. Section 103 of the Education and Inspections Act 2006 makes it a duty for parents in relation to pupils subject to a fixed period or permanent exclusion to ensure that their child is not present in a public place during school hours, without reasonable justification, during the first five days of any such exclusion. If a child is present in a public place during the first five days of an exclusion during school hours the parent may be guilty of an offence for which they can be prosecuted by the LA before a magistrates' court or issued with a Penalty Notice for £80.00 or £160.00.

#### Procedure and fine amounts

See below for further information on Penalty Notice procedure from 19<sup>th</sup> August 2024

Penalty Notice	Details
First Notice in a <b>3 year period:</b>	Issued to each parent. Charged at £80 if paid within 21 days £160 if paid within 28 days. Further fines through the courts if not paid

Second Notice in a <b>3 year period:</b>	Issued to each parent. Charged at a flat rate of £160 if paid within 28 days. As above
Third Notice in a <b>3 year period:</b>	Alternative action should be taken, for example prosecution or other attendance legal interventions. Fines per parent are capped at two within any three-year period. If a parent is prosecuted for their child's non-attendance, they could face a magistrates court appearance, and a fine of up to £2,500 and/or prison. If prosecuted and found guilty the parent would have a criminal record which can affect future situations which require a criminal record to be declared.

A Notice to Improve also needs to include

#### Additional information

There is no limit to the amount of Notice to Improve letters that schools can issue to parents/carers. It is advisable for schools to include if a Penalty Notice has already been issued that the consequences of not improving attendance will be a 2<sup>nd</sup> Penalty Notice and if a 2<sup>nd</sup> Penalty Notice has been issued that the subsequent consequence will be school considering prosecution. You can end a Notice to Improve period early if it is apparent that required improvement will not be met, e.g. when a child does not attend for 2 of the 3 weeks.

Once LCC Legal team accept a case for prosecution, contact will be made with the school to notify them and to request they issue formal written notification of court proceedings to the parents/carers.

Please refer to LCC Code of Conduct <https://www.lincolnshire.gov.uk/council-business/fixed-penalty-notices-code-conduct/3>

Please email the Attendance Support Team with any queries [Attendance@lincolnshire.gov.uk](mailto:Attendance@lincolnshire.gov.uk)

## APPENDIX 4 TO ANNEX A NOTICE TO IMPROVE LETTER

### Example letter – School Attendance Notice to Improve

# School Attendance Notice to Improve

*(Please read this letter carefully)*

[Address Starts Here]

Dear

School attendance is hugely important. For your child to gain the full benefit from their education, for their learning, wellbeing, and wider development, they need to attend on time, every day possible.

You, «**FORENAME**» «**SURNAME**» are a parent/carer of «**Students\_Name**», (called in this notice “the pupil”) who is a registered pupil at «**School\_Name**».

Pupils attendance %

The school have offered support to you and your family to try and help improve «**Students\_Name**»’s attendance, including *(delete as appropriate)*:

- Telephone calls: - The school contacted you every day your child was absent to understand why your child was absent and to offer their support with any issues your child may be having. Please provide some specific dates and evidence if not contacted every day child was absent.
- **Home visits.** We have visited you at home to adhere to our safeguarding responsibilities and to provide support with any issues your child may be having.
- Letters and/or emails dated XXXXX. The school wrote to you, letting you know about «**Students\_Name**»’s attendance, the impact of their continued absence, and inviting you to contact the school to discuss the situation further.
- Inviting you to (an) Attendance Support Meeting(s). The school invited you to (a) meeting(s) to discuss your child’s unauthorised absences and to offer support to ensure that their attendance improved. Our school attendance policy makes clear the consequences, should your child continue to have unauthorised absence and/or you did not effectively engage with the support offered.
- Offered referral assessment (ADD REFFERAL). please explain if engaged or not engaged and the outcome of any support.
- Attendance Contract designed to support you to ensure that «**Students\_Name**»’s attendance improved and to prevent further unauthorised absences from being recorded.
  
- Offered Reasonable Adjustments. Please provide evidence of what this was offered and engagement.
- Referrals to other support services if applicable: INSERT NAMES OF OTHER SUPPORT SERVICES TO WHICH REFERRALS HAVE BEEN MADE

Unfortunately, despite the support that was offered to your family, attendance remains a cause for concern. Between «WARNING\_START\_DATE» and «WARNING\_END\_DATE» (NB. Start date and end date period should not exceed ten school weeks) the pupil failed to attend regularly at «ADD SCHOOL», which resulted in 10 sessions (half days) or more of unauthorised absence being recorded. Please see the attached registration certificate for details.

Unfortunately, despite the support that was offered to your family, attendance remains a cause for concern. Between «WARNING\_START\_DATE» and «WARNING\_END\_DATE» the pupil failed to attend regularly at «School\_Name», which resulted in 10 sessions (half days) or more of unauthorised absences being recorded. Please see the attached registration certificate for details.

**You now have (Amend as appropriate: 3-6 weeks) (ADD DATE) in which to improve your child’s attendance. During this time your child must show significant improvements in attendance and avoid having any unauthorised absences from school during this period. Should we not see sufficient improvement and further unauthorised absences take place during this period.**

Targets to improve attendance **(ADD YOUR OWN TARGETS):**

*a Penalty Notice may be issued / a referral may be made to the Local Authority requesting they issue you with a Penalty Notice.*

**NB – A Penalty Notice may be issued as soon as an unauthorised absence is recorded.**

Penalty Notice can be issued under the following legislation:

- **Section 7 of the Education Act 1996 places upon parents a duty to ensure that their child receives efficient full-time education either by regular attendance at school or otherwise**
- **Where a child is a registered pupil at a school and the parent fails to ensure that child’s regular attendance at school the parent is liable to be prosecuted for a criminal offence under Section 444 of the Education Act**
- **In cases where this duty is not being fulfilled Section 444B of the same Act empowers the Local Authority to issue a Penalty Notice.**

See below for further information:

Penalty Notice	Details
First Notice in a <b>3 year period:</b>	Issued to each parent. Charged at £80 if paid within 21 days £160 if paid within 28 days.
Second Notice in a <b>3 year period:</b>	Issued to each parent. Charged at a flat rate of £160 if paid within 28 days.
Third Notice in a <b>3 year period:</b>	Alternative action should be taken, for example prosecution or other attendance legal interventions.  Fines per parent are capped at two within any three-year period.  If a parent is prosecuted for their child’s non-attendance, they could face a magistrates court appearance and a fine of up to £2,500 and/or prison. Cases

	found guilty in Magistrates' Court can show on a Parents future DBS certificate, due to failure to safeguard a child's education.
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If you wish to discuss this notice, or discuss what further support is available, please contact our Attendance Officer as soon as possible:

Contact Name

**Name of Team/Service**

Address

Telephone:

Yours sincerely

## ANNEX B

### STEP BY STEP GUIDE TO SAME DAY CALLING

When no reason for absence has been provided by the parent/ carer, Academies should as a minimum follow the below steps:

	<p><b>Pupils deemed at high risk: deemed ☐ Children subject to a child protection plan and Looked After Children</b></p> <p><b>If these children are absent and there has been no contact - notify the key worker within the first 24 hours.</b></p> <p><b>Academy must notify Customer Services immediately if:</b>  <b>It is suspected or known that a pupil is at potential risk of harm.</b></p> <ul style="list-style-type: none"> <li>• There is information that a pupil is, or may be, a victim of criminal activity.</li> <li>• At risk of Child Sexual Exploitation (CSE).</li> </ul>
Day 1	<ul style="list-style-type: none"> <li>• Telephone/parent pay parent/carer, and leave a message if the call absence isn't taken.</li> <li>• If pupil is deemed 'high risk', make home visit. If there is no answer, leave a note informing the parent/carer of the visit and ask them to contact Academy.</li> <li>• Record actions.</li> </ul>
Day 2	<ul style="list-style-type: none"> <li>• Telephone parent/carer, and leave a message if the call isn't taken. If no response - telephone all contacts on Integris, if no answer leave message to return call. Absence. If international dialling tone is heard, leave message advising of this and ask for a call back. This may indicate they are on holiday and have not notified the Academy.</li> <li>• If pupil is deemed 'high risk', make home visit. If there is no answer, leave a note informing the parent/carer of the visit and ask them to contact Academy.</li> <li>• Record all actions.</li> </ul>
Day 3	<p>As above.          Conduct home visits for any child.</p> <ul style="list-style-type: none"> <li>• Depending on the individual circumstances of the family:             <ul style="list-style-type: none"> <li>▪ Contact the Children Missing in Education Team at the LA for advice;</li> <li>▪ Contact the Inclusion and Attendance team at the LA for advice;</li> <li>▪</li> <li>▪ Contact Customer Services at the Safeguarding team and make a safeguarding referral.</li> </ul> </li> </ul>
Day 4 – 8	<ul style="list-style-type: none"> <li>• Record all actions.</li> </ul> <p>Continue all of the above actions.          Seek advice from the above professionals, as necessary.          Record all actions (Day 5 – post letter in case moved out of area.)</p>

Day 9 - 10	<ul style="list-style-type: none"> <li>If you have not done so already, and you believe the family are <b>not</b> on holiday and are concerned about the child's welfare, request a welfare visit from the police.</li> <li>Send further communication (in person if necessary), stating that a referral is being made to the LA, as their child is now considered Missing from Education.</li> </ul>
<b>Missing Pupil Checklist</b>	<p><b>Must be completed by the 10<sup>th</sup> day of absence, when one of the following criteria applies:</b></p> <ul style="list-style-type: none"> <li>A pupil has gone missing and no contact can be made with parent/carer to establish reason for absence.</li> <li>A pupil ceased to attend the Academy and forwarding address of the family is not known.</li> <li>A pupil has not returned from holiday within 10 Academy days of the expected date of return.</li> <li>A pupil fails to take up their place at the start of the academic year and the whereabouts of the young person is unknown</li> </ul> <p><b><u>Academy must continue investigations, while the Local Authority undertake their investigations</u></b></p>
Day 11 - 19	<p>☑ Continue actions below:</p> <ul style="list-style-type: none"> <li>Telephone parent/carer, and leave a message if the call isn't taken.</li> <li>If no response - telephone all contacts on Integris, if no answer leave message to return call.</li> <li>If international dialling tone is heard, leave message advising of this and ask for a call back. This may indicate they are on holiday and have not notified the Academy.</li> <li>Conduct home visits for any child.</li> <li>Seek advice from: Children Missing in Education Team at the LA; Inclusion and Attendance team at the LA; and/or Customer Services at the Safeguarding team. ☑ Record all actions.</li> </ul> <p>18 day letter – child moved from roll – day 20</p>
Day 20	<ul style="list-style-type: none"> <li>Continue above actions.</li> <li><b><u>Remove child from roll once notification from the LA has been received.</u></b></li> <li>Record all actions.</li> </ul> <p>Contact CME – indicating that child removed</p>
Coding:	<p>These absences must be coded as N for first 10 days for unauthorised absence due to no reason provided from parents/carers. O for unauthorised</p>

## ANNEX C

### HALF TERMLY ATTENDANCE UPDATE (GREEN)

#### ACADEMY ATTENDANCE and HOLIDAYS DURING TERM-TIME

At Kirkby la Thorpe CE Primary Academy highest possible attendance rate for every child is a Academy priority and we are constantly monitoring attendance and punctuality to ensure that each individual can achieve their best.

Please see below you child’s attendance for the last half term and year to date. The subsequent grid provides an overview of how your child’s attendance affects their learning.

September XX to XXXXXXXX: .....

XXXXXX to XXXXXX: .....

<b>Above 97%</b>	<b><i>Fewer than 6 days absence in an academic year</i></b> Very good attendance. Pupils with this level of attendance have the best chance of achieving the grades of which they are capable and this leads to the best prospects for work, college or university.
<b>95%</b>	<b><i>Fewer than 10 days’ absence in a year</i></b> Pupils are likely to achieve their target grades, and have good opportunities for work, college and university, but will need to invest time in catching up any work missed.
<b>90%</b>	<b><i>19 days absent from Academy DFE classify this level as persistently absent</i></b> Pupils with this level of attendance are missing a month of Academy per year and this is likely to have a detrimental effect on their achievement; it will be difficult for them to achieve of their best.
<b>85%</b>	<b><i>29 days absent from Academy</i></b> These pupils are missing six weeks of their education and will find it extremely difficult to keep up and achieve of their best.
<b>80%</b>	<b><i>Pupils with this level of attendance are missing a year of Academy over the five years that they attend Academy.</i></b> It will be almost impossible to keep up with their work and these pupils are at risk of serious underachievement. Parents of students with this level of attendance could be issued with a penalty notice.

Academy and home working together can promote good habits for life for every pupil and we look forward to your support for your child’s education by ensuring very good attendance.

## **TO ANNEX D ATTENDANCE LETTER (AMBER)**

Dear parent/carer

Your child has achieved **less than 95% attendance** this term which is below our minimum expectation.

GOOD attendance is very important so that children are given as much opportunity as possible academically and socially. When children are absent from Academy they often find it difficult to catch up on the work they have missed and can feel unsettled.

We are asking for the support of all parents in improving attendance levels as we believe this is one of the main ways in which our children will be happy at Academy and achieve their full potential.

Your child has had an above average amount of time off Academy this year. It may be that these absences have been due to illness but we feel you should be aware that this needs to improve over the coming term.

We thank-you for your support in this and hope to see an improvement in your child's attendance next term.

## **ANNEX E**

### **ATTENDANCE LETTER (RED)**

Dear parent/carer

Your child has achieved **less than 90% attendance** this term which is a cause for concern – your child is at risk of underachieving as a result.

We would ask for your support in ensuring that attendance improves over the coming weeks. Your child's attendance will now be monitored on a regular basis and we may invite you into Academy to discuss this further.

If, following this letter, your child's attendance does not improve we will contact you again in order to discuss the situation further. It may be necessary to ask the Education Welfare Officer for assistance in this matter.

GOOD attendance is very important so that children are given as much opportunity as possible academically and socially. When children are absent from Academy they often find it difficult to catch up on the work they have missed and can feel unsettled.

We are asking for the support of all parents in improving attendance levels as we believe this is one of the main ways in which our children will be happy at Academy and achieve their full potential.

**ANNEX F**

**SCHOOL ATTENDANCE SUPPORT MEETING RECORD**

Name of child / young person

Academy/setting attending:

Date assessed:

Identified Need	Actions to be undertaken	Timescale for Completion	By Whom	Review Date	Target Achieved (to be completed at 6 week review)	
					YES	NO

**I have seen agree with the contents of this plan**

Child/young person's Signature:.....Date:..... Parent's/Carer's Signature:

..... Date: .....

Headteacher's Signature: ..... Date: .....

Review Date: .....

