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THE QUEEN ANNE ROYAL FREE CE CONTROLLED FIRST SCHOOL

In our Christian Community we Enjoy, Include and Achieve.

"But the fruit of the Spirit is love, joy, peace, patience, kindness, goodness, faithfulness, gentleness and self-control." Galatians 5:22-23

Attendance Policy

The school promotes equality and actively challenges all ageist, gender, racist, disablist, homophobic, social and transphobic language and behaviour.

Safeguarding all of our children is at the centre of every aspect of school policy

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1. Aims

It is a primary aim of our school that every member of the school community feels valued and respected, and that each person is treated fairly. We are a caring community, whose Christian values are built on mutual trust and respect for all.

The Queen Anne Royal Free C.E First School is committed to providing a broad and balanced education to all pupils and embraces equal opportunities for all.

For a child to reach their full educational achievement, a high level of school attendance is essential. Therefore, we do not tolerate tolerance of unauthorised absence.

All staff understand that school absence could be a safeguarding matter and quick follow up is essential.

We are committed to meeting our obligation with regards to school attendance through our whole-school culture and ethos that values good attendance, including:

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

2. Legislation and guidance

This policy meets the requirements of the [Working Together To Improve School Attendance](#) from the Department for Education (DfE), and refers to the DfE's statutory guidance on [School Attendance Parental Responsibility Measures](#). These documents are drawn from the following legislation setting out the legal powers and duties that govern school attendance:

- Part 6 of [The Education Act 1996](#)
- Part 3 of [The Education Act 2002](#)
- Part 7 of [The Education and Inspections Act 2006](#)
- [The Education \(Pupil Registration\) \(England\) Regulations 2006 \(and 2010, 2011, 2013, 2016 amendments\)](#)
- [The Education \(Penalty Notices\) \(England\) \(Amendment\) Regulations 2013](#)
- This policy also refers to the DfE's guidance on the school census, which explains the persistent absence threshold.

3. Roles and responsibilities

3.1 The governing board

The governing board is responsible for:

- Promoting the importance of school attendance across the school's policies and ethos
- Making sure school leaders fulfil expectations and statutory duties

- Regularly reviewing and challenging attendance data
- Monitoring attendance figures for the whole school
- Making sure staff receive adequate training on attendance
- Holding the headteacher to account for the implementation of this policy

3.2 The Headteacher

The headteacher is responsible for:

- Implementation of this policy at the school
- Delivering any attendance training or updates
- Monitoring school-level absence data and reporting it to governors
- Supporting staff with monitoring the attendance of individual pupils
- Monitoring the impact of any implemented attendance strategies
- Issuing fixed-penalty notices, where necessary
- Leading attendance across the school
- Offering a clear vision for attendance improvement
- Evaluating and monitoring expectations and processes
- Having an oversight of data analysis
- Devising specific strategies to address areas of poor attendance identified through data
- Arranging calls and meetings with parents to discuss attendance issues
- Delivering targeted intervention and support to pupils and families

The Senior Attendance Champion is the headteacher, Mrs Judith Street who can be contacted via the school office, tel: 01753 830885

3.4 The Senior Attendance Champion

The Senior Attendance Champion is responsible for:

- Close liaison with the school's Attendance Officer
- Monitoring and analysis of attendance data (see section 7)
- Benchmarking attendance data to identify areas of focus for improvement
- Working with education welfare officers to tackle persistent absence
- Promoting attendance through a range of different ideas. These may include, regular updates in school newsletters, public information on year group attendance, celebrating improvement in attendance for year groups

3.5 Class teachers

Class teachers are responsible for recording attendance on a daily basis, using the correct codes, and submitting this information to the school office by 9am.

3.6 School office staff

School office staff will:

- Take calls from parents about absence on a day-to-day basis and record it on the school system
- Follow up unexplained absence on the day and record details. If no details have been sent to the school office by 8.45am a telephone call will be made to the main contact by 10am. If there is no response, this will be followed up again before lunchtime. If no response is received by the following morning the Education Welfare Service will be informed.
- Keep the electronic registers updated regularly and provide attendance reports from these
- Ensure that contact information is kept up to date

3.7 Parents/Carers

Parents/Carers are expected to:

Make sure their child attends every day on time. The registers open at 8.45am and close at 8.55am. Pupils must arrive in their school classroom by 8.50am on each school day.

- Arrival between 8.50am and 9.15am is recorded as a Late and after 9.15am may be recorded as an unauthorised absence for this session depending on the reason. The register for the second session will be taken at 1pm and closes at 1.10p.m. The second session finishes at 3.15pm.
- Call the school to report their child's absence before 9.30 am on the day of the absence and each subsequent day of absence, and advise when they are expected to return
- Provide the school with more than one emergency contact number for their child
- Ensure that school has up to date contact and emergency details
- Ensure that, where possible, appointments for their child are made outside of the school day

3.8 Pupils

Pupils are expected to:

- Attend school every day on time

4. Recording attendance

4.1 Attendance register

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

We will take our attendance register at the start of the first session of each school day and once during the second session. It will mark whether every pupil is:

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

circumstances Any amendment to the attendance register will include:

- The original entry
- The amended entry

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

amendment See Appendix 1 for the DfE attendance codes.

We will also record:

- Whether the absence is authorised or not
- The nature of the activity if a pupil is attending an approved educational activity
- The nature of circumstances where a pupil is unable to attend due to exceptional circumstances, including the date and time and any related details

We will keep every entry on the attendance register for 3 years after the date on which the entry was made.

4.2 Unplanned absence

The pupil's parent/carer must notify the school of the reason for the absence on the first day of an unplanned absence by 8.45am or as soon as practically possible by calling the school office. (see also section 7).

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

If the authenticity of the illness is in doubt, the school may ask the pupil's parent/carer to provide medical evidence, such as a doctor's note, prescription, appointment card or other appropriate form of evidence. We will not ask for medical evidence unnecessarily.

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

Evidence may be requested for any unplanned absence.

4.3 Planned absence

Attending a medical or dental appointment will be counted as authorised as long as the pupil's parent/carer notifies the school in advance of the appointment. Notification of a child's medical appointment can be done by either telephoning or emailing the school office.

(Contact number: 01753 830885 Email: [office @queenannefirstschool.org.uk](mailto:office@queenannefirstschool.org.uk)) This must be done as soon as is practicable, preferably at least 24 hours in advance.

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

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

4.4 Lateness and punctuality

A pupil who arrives late:

- Before the register has closed will be marked as late, using the appropriate code (**between 8.50am and 9.15am**)
- After the register has closed will be marked as absent, using the appropriate code (**after 9.15am**)

The school maintains a paper signing in and out register to record times and reasons for late arrival and collection. This can be used as evidence to trigger a meeting with parents/carers to discuss any ongoing patterns of lateness.

Parents/carers who routinely drop off their children after 8.50am and/or are regularly collected late, ie after 3.15pm will be asked to attend a meeting with the headteacher to discuss the matter and to try and resolve this problem.

4.5 Following up unexplained absence

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

- Call the pupil's parent/carer on the morning of the first day of unexplained absence to ascertain the reason. If the school cannot reach any of the pupil's emergency contacts, the school may contact the Education Welfare Service to support in making contact or/and the school may also contact the Police.
- Identify whether the absence is approved or not
- Identify the correct attendance code to use and input it as soon as the reason for absence is ascertained
 - this will be no later than five working days after the session
- Call the parent/carer on each day that the absence continues without explanation to ensure proper safeguarding action is taken where necessary. If absence continues, the school will consider involving an education welfare officer

4.6 Reporting to parents/carers

The school will regularly inform parents about their child's attendance and absence levels. This will be done

using termly written reports usually handed out at parents' meetings and sent home with written reports.

5. Authorised and unauthorised absence

5.1 Approval for term-time absence

The headteacher will only grant a leave of absence to a pupil during term-time if they consider there to be 'exceptional circumstances'. A leave of absence is granted at the headteacher's discretion, including the

length of time the pupil is authorised to be absent for.

We define 'exceptional circumstances' as one-off events which are unavoidable. Examples may include the death and/or funeral of a close relative (parent or grandparent), respite care of a looked after child, a housing crisis which prevents attendance.

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

Any request should be submitted as soon as it is anticipated and, where possible, at least two weeks before the absence. The Head Teacher may require evidence to support any request for leave of absence.

The Head Teachers decision is final.

Valid reasons for **authorised absence** include:

- Your child is too ill to attend that day. (To support children with health needs who cannot attend school: We follow the D.F.E guidance outlined in 'Arranging education for children who cannot attend school because of health needs' December 2023)
- You have asked in advance and been given permission by the school for your child to be absent on that day due to exceptional circumstances.
- Your child cannot attend school on that day because it is a day you are taking part in religious observance.
- Your local authority is responsible for arranging your child's transport to school and it is not available on that day or has not been provided yet.
- You are a gypsy/traveller family with no fixed abode, and you are required to travel for work that day meaning your child cannot attend their usual school.
- The school follows the RBWM guidance for children involved in acting, modelling or sport (Appendix 3)

5.2 Legal sanctions

The school or local authority can fine parents for the unauthorised absence of their child from school, where the child is of compulsory school age.

If issued with a fine, or penalty notice, each parent must pay £80 within 21 days or £160 within 28 days. The payment must be made directly to the local authority.

Penalty notices can be issued by a headteacher, local authority officer or the police. The decision on whether or not to issue a penalty notice may take into account:

- The number of unauthorised absences occurring within a rolling academic year
- One-off instances of irregular attendance, such as holidays taken in term time without permission
- Where an excluded pupil is found in a public place during school hours without a justifiable reason
- If the payment has not been made after 28 days, the local authority can decide whether to prosecute or withdraw the notice.

6. Strategies for promoting attendance

The school uses the following strategies to raise awareness of the importance of good attendance: Posters, newsletters, regular reviews of pupil attendance and wellbeing and discussions with parents, school follows support and guidance related to Emotionally Related School Avoidance.

7. Children Missing Within School

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 also 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 school premises as directed by the headteacher.

- The following areas will be systematically searched:

- **All rooms in the school building**
- **All toilets**
- **The school grounds**

Available staff will begin a search of the area immediately outside of the school 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 school will attempt to contact parents using the emergency contact numbers provided.
- If the parents have had no contact from the pupil, and the emergency contacts list has been exhausted, the police will be contacted.
- 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 LAC, 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 they are safe and well.
- 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.
- Parents and any other agencies will be informed immediately when the pupil has been located.
- The headteacher will carry out a full investigation, and will draw a conclusion as to how the incident occurred.
- Appropriate disciplinary procedures are followed in accordance with the Behaviour Policy.
- Prolonged periods of unauthorised absence without contact will be handled in accordance with section 6 of this policy.
- A written report will be produced and policies and procedures will be reviewed in accordance with the outcome.

8. CHILDREN MISSING IN EDUCATION

We recognise that children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect, which may include sexual abuse or exploitation and child criminal exploitation. It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future.

Any child on a Child Protection Plan or child in Need: absence reported to E.W.O. and Social Worker as a matter of urgency.

Action taken for Children Missing in Education

Absent from School with no response by parents: the school will contact all named contacts on the list. If no response, the school will contact E.W.O. and/or Children's Services to report the child as missing.

Child not attending on the last day of term before a school holiday: the school will contact the parents and the other named contacts. If no response, the school will contact E.W.O and then the two members of staff will conduct a home visit. The home visit is to ascertain whether there is any sign of occupancy at the property or if there are any concerning signs at the property. The school will then contact E.W.O to report the child as missing and provide details of the home visit. The school will follow the advice and guidance of the Educational Welfare Officer.

A note of all action taken is recorded on the child's electronic register.

Children transferring to a new school: if a child who does not register at the new school on the named day, The Queen Anne School will contact the parents/ guardians and other named contacts if required. If no response, the Queen Anne School will contact Admissions, Children's Services and/or E.W.O to report the child as missing.

Child transferring into The Queen Anne: if the child does not attend school on the named day, the Queen Anne school will contact the parents and the child's previous school. Advice will be sought from E.W.O. and the Admissions Department.

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, the school may remove the pupil from the admissions register if the school and the LA have failed to establish the whereabouts of the child after making reasonable enquiries

9. Arrangements For Collection At The End Of The School Day

It is essential that parents provide the school with a record of their contact details, their place of work mobile and home phone number. Parents must also provide contact details for ideally three, but at least two, other relatives or carers who can be called when the parent cannot be contacted or in the event of an emergency. The school will remind parents at regular intervals to update this information.

The school expects that children will be collected by parents or a nominated responsible adult. Parents should inform the school by 2.30pm if they have arranged for another adult to collect their child.

The school asks parents to contact them as soon as they become aware that they will be late collecting their child from school.

The school agrees to care for pupils who have not been collected until such time that the parent can collect or make alternative arrangements. The designated person will keep a record of incidents where parents do not collect their child, are late in doing so for no good reason, or where there is persistent and repeated occurrence. Any child welfare concerns arising out of such incidents will be dealt with in accordance with child protection procedures.

In the event that a child is not collected by the parent/carer, this will be brought to the attention of the designated person who will attempt to contact the parent or alternative carer. In the unlikely event that the child is in need of immediate protection, the police who have emergency powers, will be contacted.

If the child has not been collected by 4.00pm and the designated person has not been able to contact a parent or named carer, will phone the duty Children's Services team, or allocated social worker with the following information:

- Name
- Date of birth
- Address
- Gender
- Ethnicity
- Language spoken
- Any SEN/behavioural difficulties/medical needs
- Parent and alternative carer details with names and addresses, phone numbers
- Any current child protection concerns
- Any previous incidents of not being collected from school

The call should be confirmed in writing within 48 hours using the multi-agency referral form.

Children's Services will give advice and may carry out appropriate checks and make further attempts to contact the parents/carers. If attempts to contact the parents/carers are unsuccessful, Children's Services will arrange for the child to be collected and taken to a place of safety. They will notify the school of the child's placement.

10. Attendance monitoring

The school monitors attendance through the scrutiny of attendance data at least five points throughout the school year.

1. The end of the first half term (October)
2. The end of the first full term (December)
3. The end of the third half term (February)
4. The end of the Spring Term (March/April)
5. The end of the Summer Term (July)

Individual families who are failing to meet the expected attendance target will be followed up in one of the following ways:

1. Informal conversations with parents/carers informing them if their child's attendance is beginning to drop.
2. Sending a letter to parents/carers informing them of their child's attendance and the school's concerns. The letter invites parents into school to discuss the concerns and the barriers parents/carers may be facing with the Attendance Officer and/ or the Head Teacher.

3. Having discussed strategies to support better attendance introducing attendance targets for families to work towards, alongside regular review meetings
4. Taking further advice from the Education Welfare Service

The school will:

- Monitor attendance and absence data half-termly, termly and yearly across the school and at an individual pupil level
- Identify whether or not there are particular groups of children whose absences may be a cause for concern

Pupil-level absence data will be collected each term and published at national and local authority level through the DfE's school absence national statistics releases. The underlying school-level absence data is published alongside the national statistics. The school will compare attendance data to the local and national average, and share this with the governing board.

- **Analysing attendance**

The school will:

- Analyse attendance and absence data regularly to identify pupils or cohorts that need additional support with their attendance, and use this analysis to provide targeted support to these pupils and their families
- Look at historic and emerging patterns of attendance and absence, and then develop strategies to address these patterns

- **Using data to improve attendance**

The school will:

- Provide regular attendance reports to class teachers and other school leaders, to facilitate discussions with pupils and families
- Use data to monitor and evaluate the impact of any interventions put in place in order to modify them and inform future strategies

- **Reducing persistent and severe absence**

Persistent absence is where a pupil misses 10% or more of school, and severe absence is where a pupil misses 50% or more of school.

The school will:

- Use attendance data to find patterns and trends of persistent and severe absence
- Hold regular meetings with the parents of pupils who the school (and/or local authority) considers to be vulnerable, or are persistently or severely absent, to discuss attendance and engagement at school
- Provide access to wider support services to remove the barriers to attendance
- **National Framework for Penalty Notices and Notices to Improve**

The Queen Anne Royal Free CE First School will always want to work with families to improve attendance and support to address barriers to improvement. If measures to support have been unsuccessful or the absence is an unauthorised period of holiday parents may face paying a fine.

Fines will be considered for any absence of 10 sessions (5 days) or more for unauthorised reasons.

From August 2024, the fine for school absences across the country will be **£80 if paid within 21 days**, or **£160 if paid within 28 days**.

In the case of repeated fines, if a parent receives a second fine for the same child within any three-year period, this will be charged at the higher rate of £160.

Fines per parent will be capped to two fines within any three-year period. Once this limit has been reached, other action like a parenting order or prosecution will be considered. If you're prosecuted and attend court because your child hasn't been attending school, you could get a fine of up to £2,500.

Monitoring arrangements

This policy will be reviewed as guidance from the local authority or DfE is updated, and as a minimum annually by the Headteacher. At every review, the policy will be approved by the full governing board.

12. Links with other policies

This policy links to the following policies:

- a. Child Protection and Safeguarding Policy
- b. Behaviour Policy

Appendix 1: Attendance Codes

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

C o d e	Definition	Scenario
/	Present (am)	Pupil is present at morning registration
\	Present (pm)	Pupil is present at afternoon registration
K	Attending a place other than the school	The pupil is attending a place, other than the school or any other school at which they are a registered pupil.
L	Late arrival	Pupil arrives late before register has closed
B	Off-site educational activity	Pupil is at a supervised off-site educational activity approved by the school
D	Dual registered	Pupil is attending a session at another setting where they are also registered
J 1	Interview	Pupil has an interview with a prospective employer/educational establishment
P	Sporting activity	Pupil is participating in a supervised sporting activity approved by the school
V	Educational trip or visit	Pupil is on an educational visit/trip organised, or approved, by the school
W	Work experience	Pupil is on a work experience placement

Code	Definition	Scenario
Authorised absence		
C	Authorised Leave of Absence	Leave of absence for exceptional circumstances
C1	Authorised Leave of Absence	Leave of absence for the purpose of participating in a regulated performance or undertaking regulated employment abroad
C2	Authorised Leave of Absence	Leave of absence for a compulsory school age pupil subject to a part time timetable
E	Excluded	Pupil has been excluded but no alternative provision has been made
H	Authorised holiday	Pupil has been allowed to go on holiday due to exceptional circumstances
I	Illness	School has been notified that a pupil will be absent due to illness
M	Medical/dental appointment	Pupil is at a medical or dental appointment
Q	Unable to attend school because of unavoidable cause	Unable to attend the school because of a lack of access arrangements
R	Religious observance	Pupil is taking part in a day of religious observance
S	Study leave	Leave of Absence for the purpose of studying for a public examination
T	Parent travel	Parent travelling for occupational purposes
Y1	Unable to attend the school due to transport normally provided not being available	Local authority arranged transport unavailable
Y2	Unable to attend due to widespread travel disruption	Travel disruption caused by local, national or international emergency

Y3	Unable to attend due to the whole school site being unexpectedly closed	An area of the school is shut due to school emergency
Y4	Unable to attend due to the whole school site being unexpectedly closed	The whole school is shut due to school emergency
Y5	Unable to attend as pupil is in criminal justice detention	Pupil in police detention
Y6	Unable to attend due to public health guidance or law	Transmission of infection or disease
Y7	Unable to attend because of any other unavoidable cause	Something in the nature of an emergency has occurred.
Unauthorised absence		
G	Unauthorised holiday	Pupil is on a holiday that was not approved by the school
N	Reason not provided	Pupil is absent for an unknown reason (this code should be amended when the reason emerges, or replaced with code O if no reason for absence has been provided after a reasonable amount of time)
O	Unauthorised absence	School is not satisfied with reason for pupil's absence
U	Arrival after registration	Pupil arrived at school after the register closed

Code	Definition	Scenario
X	Not required to be in school	Pupil of non-compulsory school age is not required to attend
Z	Pupil not on admission register	Register set up but pupil has not yet joined the school
#	Planned school closure	Whole or partial school closure due to half-term/bank holiday/INSET day

Appendix 2

Modelling, sport and acting performances/activities

- a. Under Section 37 of the Children and Young Persons Act 1963, all pupils engaging in performances/activities (whether they, or another person, receives payment or not), which require them to be absent from school, are required to obtain a licence from the LA which authorises their absence(s).
- b. Where a pupil requests to be absent for a performance or activity, the individual or organisation responsible for organising, producing or running the activity/performance is required to request a licence from the LA.
- c. The organiser is required to allow sufficient time for the LA to process the request – the LA will refuse to consider an application if the performance or activity is less than 21 days away.
- d. The LA will only approve a licence application once it is satisfied that:
 - The pupil's education, health and wellbeing will not suffer; and
 - The conditions of the licence will be observed.
- e. The LA will impose any conditions it considers necessary to ensure that the pupil is fit to take part in the performance/activity, that there will be proper provision for the pupil's wellbeing, and that the pupil's education will not suffer.
- f. The school will make additional arrangements for pupils engaging in performances or activities that require them to be absent from school to ensure 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.
- g. The organiser of the performance/activity is responsible for ensuring these arrangements are carried out.

h. The pupil will receive 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.

i. The above 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.

j. Where the applicant is unable to specify the dates of the performance/activity, and the LA decides to grant the application, the LA will specify that the pupil can only take part in the activity for a specified number of days within a six-month period.

k. Where a licence has been granted by the LA and it specifies dates of absence, no further authorisation is needed from the school.

l. 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.

m. The headteacher may review each child's attendance when determining whether the absence is authorised or unauthorised.

n. Where a licence has not been obtained, the headteacher will not authorise any absence for a performance or activity.

o. The LA will be satisfied that arrangements for chaperones, accommodation, place of performance and rehearsal, and travel are suitable before it grants the application.

p. The LA may decide to place restrictions on any performance or activity – this can include maximum hours and breaks.

q. The maximum number of consecutive days that a child can perform is six – this applies to performances only.

r. Pupils who perform are entitled to a break of at least 14 days following the last performance where the pupil has been performing on the maximum number of consecutive days over a period of eight weeks, unless the period to which the licence applies is less than 60 days.

s. A licence is also required where a pupil will be absent from school and conducting a performance or activity abroad.

- t. The LA is responsible for enforcing all licence requirements; they may carry out inspections of the premises:
- Where rehearsals during the performance period are taking place;
 - Where performances or activities are taking place; or
 - Where the pupil is receiving their education, in order to check that licensing conditions are being met.
- u. The LA has the power to amend or revoke existing licences at any time.
- v. If the LA refuses to grant a licence, it will provide reasons for this decision in writing to the individual/organisation applying for the licence.
- w. The organiser of the performance/activity has the right to appeal the decision to a magistrates' court, including its refusal, revocation or variation, and against any condition under which a licence is granted or an approval is given.

Appendix 3

R.B.W.M PENALTY NOTICE

Royal Borough of Windsor and Maidenhead Penalty Notice Code of Conduct

1. Legal Basis:

For the purposes of this Code of Practice "parent" includes any person who is not a parent but has parental responsibility for a child or any person who has care of a child.

Parents of a pupil who is registered at a school and who fails to attend school regularly are committing an offence under section 444(1) Education Act 1996. The Anti-social Behaviour Act 2003 introduced new powers for authorised local education authority officers, (typically Education Welfare Officers), head teachers (and deputy and assistant heads authorised by them) and the police, to issue penalty notices to such parents. The Education (Penalty Notices) (England) (Amendment)

Regulations 2013 as amended came into force on 1st September 2013 and enable parents to discharge potential liability for conviction for the above mentioned offence by paying a penalty of up to £120.

2. Rationale:

Regular and punctual attendance at school is both a legal requirement and is essential in order for pupils to maximise their educational opportunities. Parents and pupils are supported at school and LEA level to overcome barriers to regular attendance through a variety of intervention strategies. Sanctions of any nature are for use only where parental co-operation is either absent or deemed insufficient to resolve the presenting problem. They are used as a means of enforcing attendance where there is a reasonable expectation that their use will secure an improvement. Prosecution is expensive and time-consuming and can be considered too severe for parents who are not persistent offenders. Penalty notices provide a quicker, cheaper and more effective way of sanctioning those parents who are capable of improving their child's attendance and where a simple sanction will focus them on their responsibilities.

3. Circumstances where a Penalty Notice may be issued:

A Penalty Notice can only be issued in cases of unauthorised absence. The issuing of a Penalty Notice is considered appropriate in the following circumstances:

- (i) Truancy (including pupils caught on truancy sweeps);
- (ii) Parentally-condoned absences;
- (iii) Unauthorised leave of absence in term-time;
- (iv)** Unexplained delayed return from leave of absence;
- (v)** Persistent late arrival at school (after the Register has closed).

To ensure consistent delivery of Penalty Notices the following criteria will be applied before a Penalty Notice is issued:

- (i) at least 10 sessions (5 school days) must have been lost to unauthorised absence by the pupil during one term and
- (ii) other than in specific circumstances mentioned in (iii) below, the parent must have received a formal written warning of the possibility of a Penalty Notice being issued and given a maximum of 15 school days to effect a sustained improvement.
- (iii) the deliberate taking of leave of absence in term time without / against school permission (where it can be clearly demonstrated that the parent understood that permission had not/would not be given) and where this has created a period of unauthorised absence in the current term of at least 10 sessions or at least 10 sessions spanning a school holiday.

(For the purposes of this Code of Practice unauthorised absence shall be determined in accordance with the provisions of the Education (Pupil Registration) Regulations 1995 as amended)

4. Procedure for issuing Penalty Notices:

- (i) The Education Welfare Service (EWS) only, will issue Penalty Notices on behalf of the Royal Borough of Windsor and Maidenhead as Local Authority (LA), in order to avoid the issuing of duplicate notices. This will also ensure consistent and equitable delivery, retain school-home relationships and allow cohesion with other enforcement sanctions.
- (ii) Before any action is taken the EWS will first make all reasonable enquiries to determine whether or not other intervention strategies are in place or other enforcement action is already being processed or contemplated, in order to ensure there is no conflict. Schools maintained by the LA are to advise the EWS without delay of any potential cases for prosecution. Penalty Notices will only be issued by post and never as an on the spot

action; this is to ensure that all evidential requirements are in place and to meet Health and Safety requirements for the Education Welfare Officer.

- (iii) In addition to initiating action on behalf of the LA, the EWS will consider requests to issue Penalty Notices from schools, Thames Valley Police and neighbouring LEAs. These requests will be considered providing that:
 - (a) all relevant information is supplied on a referral form;
 - (b) the circumstances of the pupil's absence meets all the requirements of this Code of Practice and
 - (c) the issue of a Penalty Notice does not conflict with other intervention strategies in place or other enforcement sanctions already being processed or contemplated.
- (iv) The EWS will use its best endeavours to respond to all requests within 10 school days of receipt and where all criteria are met will:
 - (a) Issue a formal written warning to the parent of the possibility of a Penalty Notice being issued (unless the exception in Clause 3(iii) applies;
 - (b) In the same letter, set a maximum period of 15 school days within which the pupil must have no unauthorised absence; Issue a Penalty Notice through the post at the end of the 15-day period if the required level of improvement has not been achieved.
 - (c) Advise the requesting body of the action taken
- (v) A maximum of 2 penalty notices will be issued to one parent in any twelve month period

5. Procedure for withdrawing Penalty Notices:

Once issued, a Penalty Notice will only be withdrawn in the following circumstances:

- (i) Proof has been established that the Penalty Notice was issued to the wrong person;
- (ii) The use of the Penalty Notice did not conform to the terms of this Code of Practice

Due consideration will be given to any written representations that the recipient wishes to make. If the recipient would have difficulty with making written representations assistance will be given.

6. Payment of Penalty Notices:

Arrangements for payment will be detailed on the Penalty Notice. Payment of a Penalty Notice discharges the parent/carer's liability for the period in question and he/she cannot subsequently be prosecuted under other enforcement powers for the period covered by the Penalty Notice.

The amount of the penalty to be paid shall be £60 where paid within 21 days of receipt of the notice and £120 where paid within 28 days of receipt.

The LA retains any revenue from Penalty Notices to cover the costs of issuing and enforcing notices or the costs of prosecuting recipients who do not pay.

7. Non-payment of Penalty Notices:

If the penalty is not paid in full before the expiry date mentioned in the notice the LEA shall either institute proceedings against the recipient for the offence to which the notice relates or withdraw the notice in accordance with Clause 5 above.

8. Policy & Publicity

The issuing of Penalty Notices as a sanction will be included in the LA's Attendance Policy. Schools will be advised that their school Attendance Policies must include information on the issuing of Penalty Notices and this will be brought to the attention of all parents and pupils.

The LA will include information on the use of penalty Notices and other attendance enforcement sanctions in promotional/ public information material.

9. Reporting & Review:

The EWS will review the use of Penalty Notices at regular intervals and amend the general enforcement strategy as appropriate.