



ATTENDANCE POLICY

**Presented to Governors Students and Safeguarding
Committee
15 November 2022**

Approved:

Date approved:	15 November 2022
Date of next review:	Autumn 2025



ARTHUR MELLOWS VILLAGE COLLEGE



ATTENDANCE POLICY

1.0 Introduction

- 1.1 Arthur Mellows Village College is committed to providing an education of the highest quality for all students and recognises that this can only be achieved by supporting and promoting excellent attendance for all. This is based upon the belief that only by attending College regularly and punctually will children and young people be able to take full advantage of the educational opportunities available to them. High attainment depends on good attendance.
- 1.2 Everyone - including students, Parents / Carers, all staff, Governors/Trustees, Local Authority, external agencies - have a responsibility for ensuring good school attendance and have important roles to play. We are committed to working in partnership with families and other agencies to achieve best outcomes for children via the early help pathways available.
- 1.3 We believe that ours is a successful, welcoming school which you and your child/children plays their part in making it so. We aim for an environment which enables and encourages all members of our school community to achieve excellence. For children to gain the greatest benefit from their education, it is vital that they attend regularly, and your child should be at school, on time, every day on which the school is open (Isle of Wight v Platt) unless the reason for the absence is exceptional.
- 1.4 All staff (teaching and support) at the College have a key role to play in supporting and promoting excellent school attendance and will work to provide an environment in which all students are eager to learn, feel valued members of the College community and look forward to coming to College every day. Staff also have a responsibility to set a good example in matters relating to their own attendance and punctuality.
- 1.5 Regular attendance is so important as it gives your child the best opportunity to learn. Any absences will affect the pattern of your child's schooling and consistent absences may seriously affect learning. Any child's absence disrupts teaching routines, not only for your child but for others in the same class.
- 1.6 The College liaises closely with our Local Authority and other agencies using an Early Help pathway (Early Help Referral) which assists in the assessment of need in order for appropriate support to be given. This initial pathway enables further referrals to external agencies to be made and further support acquired to support families to remove any barriers that are preventing regular attendance.
- 1.7 **Ensuring your child's regular attendance at school is your legal responsibility and permitting absence from school without a good reason is an offence in law and may result in prosecution.**

2.0 Definition of a Parent / Carer in Education Law

- 2.1 It's important that schools and local authorities are aware that parents may be recognised differently under education law, than under family law. Section 576 of the Education Act 1996 states that a 'parent', in relation to a child or young person who is not a parent (from which can be inferred 'biological parent') but who has parental responsibility, or who has care of the child.

2.2 For the purposes of education law, the department considers a 'parent' to include:

- All biological parents, whether they are married or not
- Any person who, although not a biological parent, has parental responsibility for a child or young person – this could be an adoptive parent, a step-parent, guardian or other relative
- Any person who, although not a biological parent and does not have parental responsibility, has care of a child or young person

3.0 The Law relating to attendance and the right to a full-time education

3.1 Section 7 of the Education Act 1996 states that *'the parent of every child of compulsory school age shall cause them to receive efficient full-time education suitable:*

- a) *To age, ability and aptitude and*
- b) *To any special educational needs, they may have*

Either by regular attendance at school or otherwise'.

3.2 It is the legal responsibility of **every** parent to make sure their child receives that education, either by attendance at a school or by education otherwise than at a school.

3.3 Where parents / carers decide to have their child registered at school, they have an **additional legal duty** to ensure their child attends that school regularly. This means their child must attend every day that the school is open, except in a small number of allowable circumstances such as being too ill to attend or being given permission for an absence in advance from the school.

3.4 The Isle of Wight Council v Platt case (2017) considered by the Supreme Court makes it clear that regular attendance shall mean in accordance with the school rules. Therefore, any non-attendance which is not in accordance with the school rules will be deemed unauthorised. The school rules are determined by the school and are the days and hours that they are open for pupils to attend. Under this judgement all children registered at a school should attend 100% of the time unless there are exceptional circumstances that prevent this.

4.0 The Law relating to Safeguarding

Section 175 of the Education Act 1996 places a duty on local authorities and governing bodies to have regard to guidance issued by the Secretary of State regarding safeguarding and promoting the welfare of children and students under the age of 18.

Your child may be at risk of harm if they do not attend school regularly. Safeguarding the interests of each child is **everyone's responsibility** and within the context of this College, promoting the welfare and life opportunities for all students encompasses:

- Attendance
- Behaviour Management
- Health and Safety
- Access to the Curriculum
- Anti-Bullying
- Wellbeing

4.1 **Failing to attend College on a regular basis will be considered as a safeguarding matter.** Creating and maintaining a pattern of punctual and regular attendance is **everybody's** responsibility – parents / carers, students, school staff and external agencies.

5.0 Expectations and Daily Routines

Our school starts at 8.40 am and we expect all children to be in class by this time. All students should be on site by 8.35 am at the latest. Registers are marked at 8.40 am and close at 8.55 am.

5.1 Your child will receive an unauthorised late mark if they arrive after the register is closed. Your child will be given a 'U' code (unauthorised late) in line with regulations, and this may mean that you face legal action if they persist.

5.2 When your child is late, they miss the start of the day, they can miss work, and this will impact on their learning. Late arrivals also disrupt lessons for other students in the class, which is not fair on them or your child.

5.3 Absence Procedure

If your child is going to be absent, you must contact the College by 9.00 am on the first day and subsequent days of absence and inform the College of the reason for the absence (unless it is a diagnosed medical condition and evidence is on file. You can report an absence by emailing absence@arthurmellows.org

5.4 If your child is absent and you do not contact us, we may, under our Safeguarding Policy:

- Telephone, text or email you on the first day and every following day of absence if we have not heard from you
- Contact emergency numbers held on our database
- Undertake a home visit if no contact is received from you
- Invite you in to discuss the situation with us
- Call 101 (Police) and request a safe and well check if all other attempts to contact you fail to get a response
- Take legal action if there are persistent absences, which may be in the form of penalty notices issued to each parent / carer for each child or legal action through the courts.

5.5 Who to contact if you or your child / children have questions or concerns about attendance?

- Day-to-day – speak to the teacher / Form Tutor
- More detailed support – speak to the Pastoral Team or Attendance Officer
- You can contact the school office by email at office@arthurmellows.org and a call back or appointment will be organised for you

6.0 Data and Monitoring

How we monitor attendance / absence

We keep track on all our student attendance and absences thoroughly through regular reports from our Management Information System. We look at the reports on a regular basis to track any concerns that may arise due to unauthorised absences and to ensure that any interventions are timely and appropriate.

6.1 We routinely monitor attendance and absences daily, weekly, half-termly, termly and annually to assist the College in providing support and / or changes to our process where necessary to provide the correct support to families.

6.2 We analyse all patterns of absence, both authorised and unauthorised* and try to ensure that parents / carers are informed of any child's attendance that falls below the national average to prevent your child becoming a persistent absentee (PA) which means that they have an attendance below 90%. A pupil becomes a 'persistent absentee' when they miss **10%** or more schooling within an agreed period **for whatever reason**.

Absence at this level may cause considerable damage to any child's educational prospects and we need full parent / carer support and co-operation to tackle this.

6.3 Our interventions at this stage may include, but is not limited to:

- Writing to parents / carers if attendance drops below the College threshold of 96%
- Requesting that they provide evidence to support absences
- Calling a school attendance meeting
- Making an Early Help Referral
- Referring to the Local Authority for support

6.4 PA pupils are also tracked and monitored carefully through our pastoral system, and we may also combine this with academic mentoring where absence affects attainment.

6.5 *Understanding types of absence

Every half-day absence from school must be classified by the College (not by parents / carers) as either AUTHORISED or UNAUTHORISED. Therefore, information about the cause of any absence is essential, preferably in writing so that it can be recorded correctly.

6.6 Authorised absences are mornings or afternoons away from school for an exceptional circumstance such as illness, medical / dental appointments which unavoidably fall in school time, emergencies or other exceptional cause authorised by the Head of College.

6.7 Unauthorised absences are those which the College does not consider reasonable and for which no 'leave' has been authorised. These include, but are not limited to:

- Parent / Carers keeping children off school unnecessarily
- Truancy before or during the school day
- Absences which have never been properly explained
- Children who arrive at school too late to get a mark
- Shopping, looking after other children, acting as interpreters or birthdays
- Day trips and holidays in term time not authorised as an exceptional circumstance
- Medical treatment overseas (unless part of emergency treatment whilst abroad on an authorised absence).

This type of absence can lead to the Peterborough City Council, School Attendance Team, using sanctions and / or legal proceedings.

6.8 Whilst any child may be absent from school because they are ill, sometimes they can be reluctant to attend school. Any problems with regular attendance are best sorted out between the College, the parents / carers and the child. If your child is reluctant to attend, it is **never** an option to cover up their absence or to give in to pressure to excuse them from attending. This gives the impression that attendance does not matter and usually makes things worse.

6.9 Impact Analysis

As part of our data analysis and monitoring process, we will regularly assess the outcomes of our support / interventions to measure the impact that they are having on the improvement of children's attendance and attainment. We will continue to meet with and engage with families to find out and help resolve any barriers to regular attendance, including signposting or referring to other agencies. We will regularly review cases to ensure that the College is providing the appropriate support / referrals as legal action, for the College is a last resort, but sometimes cannot be avoided.

7.0 Legal Interventions

Fixed Penalty Notices

The College may request a fixed penalty notice to be issued by the Local Authority in line with their Penalty Notice Code of Conduct for unauthorised leave or absence or where all support interventions do not secure an improvement in attendance.

7.1 Leave of Absence / Single Absence Event

As a school we ask parents / carers **not** to take children out of school without the permission of the Head of College as per the Law and Legislation. Please remember that any savings you think you may make by taking a holiday in school time are offset by the cost to your child's education.

7.2 Headteacher's must comply with The Education (Pupil Registration) (England) (Amendment) Regulations 2013. There is **no** automatic entitlement in law to time off in school time to go on holiday.

7.3 All applications for leave of absence **must** be made in advance. In deciding about whether to authorise the leave, the College will consider the circumstances of each application individually, taking into account the evidence submitted in support. If the request is refused, the Head of College will inform all parties of their decision. If the Head of College grants the request, it is for the Head of College to determine the length of time the student can be away from school.

7.4 It is important that the Parent / Carer understands that the College may **only** authorise such absences in **exceptional** (see Appendix 1 for categories). It is unlikely that a leave of absence will be granted for the purpose of a family holiday.

7.5 Any period of leave taken without the agreement of the College (with at least four weeks' notice) and/or different from that agreed by the College, will be classed as unauthorised and may attract sanctions such as a Penalty Notice per parent / carer per child.

7.6 Absence due to Non-School Attendance (irregular / persistent absenteeism)

Where attendance interventions have been implemented and parents / carers have failed to support the College, the College may request a penalty notice under the Peterborough City Council, Penalty Notice Code of Conduct.

7.7 A penalty notice can be issued if **one** of the following criteria can be met:

- Level of unauthorised absence leads to an unauthorised absent rate of 10% or more within a minimum period of any 8 school weeks (a maximum of 2 penalty notices for ongoing attendance concerns may be issued in any academic year)
- A single unauthorised absence event of at least 2 consecutive school days (4 consecutive sessions)
- Persistent late arrival at school after the register has closed contributing to a level of unauthorised absence at 10% or above
- Lack of adherence to the dates agreed for any authorised leave of absence without reasonable justification
- Students identified in a public place whilst suspended / excluded from school (during the first 5 days) without reasonable justification.

For further information regarding Penalty Notices, please refer to the Peterborough City Council Code of Conduct which is available on their website.

8.0 Escalation of Procedures

When we escalate cases to higher level legal interventions

The College will make every effort to support families / children whose attendance is causing concern. However, there are some circumstances where despite the College's the Local Authority's and extended work through multiple agencies fails to improve the attendance of children and at this point, the College may instigate, or request that the Local Authority instigates a more formal legal intervention.

If this occurs a case may be prepared and presented to the Magistrates Court for prosecution under Section 444(1) or 444(1a) of the Education Act 1996.

8.1 The outcome of these cases will be determined by the courts, of which can be:

- Where convicted under Section 444(1) Education Act 1996, you may be fined up to £1,000
- Where convicted under Section 444(1a) Education Act 1996, you may be fined up to £2,500 and / or a custodial sentence
- Impose a Parenting Order.

9.0 Incentives and Rewards

How the College is promoting and incentivising good attendance

To help us all to focus on this we will:

- Have a whole school approach to attendance
- Provide details on attendance in our regular newsletters
- Report to you regularly on how your child / children are performing in school, what their attendance and punctuality rate is and how this relates to their attainment and rate of progress
- Update you at parent / carer evenings
- Celebrate and reward good and improving attendance through weekly, half term and term events. Through assemblies and displays throughout the College.

10.0 Our Monitoring and Intervention Strategy

Appendix 2 outlines the basis of our intervention pathway. We treat each child individually and therefore each case may take a different route, depending on the barriers, needs of the family and any other circumstances which may be impacting on regular attendance. We try to take a holistic approach to dealing with and resolving barriers to non-school attendance and use legal interventions as a last resort.

11.0 Expectations of Academy Trust Boards and / or Local Governing Committee

Our Trust and Local Governing Committee will have high expectations for attendance at the College.

It is their role to:

- Recognise the importance of school attendance and promote it across the College's ethos and policies
- Ensure that our school leaders fulfil their expectations and statutory duties
- Regularly review attendance data, discuss and challenge and help to focus our improvement efforts where needed most
- Ensure all College staff receive adequate training on attendance
- Share effective practice on attendance management and improvement across the College.

11.1 References

- The Education Act 1996, 2002 and 2011
- Working Together to Improve School Attendance (Guidance) May 2022
- Working Together to Safeguard Children Guidance 2018
- The Education (Pupil Registration) (England) Regulations 2006
- The Education (Pupil Registration) (England) (Amendment) Regulations 2010, 2011, 2013 and 2016
- The Education (Penalty Notices) (England) (Amendment) Regulations 2007, 2012 and 2013
- Children's Act 1989 and 2004

12.0 **Those people responsible for attendance matters in this College are:**

- Assistant Headteacher with responsibility for Student Well-Being
- Attendance Officer
- Pastoral Support Team
- Student Reception for attendance administration

13.0 **Policy Review**

The Local Governing Committee (or responsible committee) will review this policy in line with the procedure for policy review.

Date for Review

If no other reason for review (see policy review procedure) this policy will be reviewed in 3 years.



Appendix 1

Examples of Exceptional Circumstances for Consideration of Authorised / Unauthorised Absence

- If a parent is service personnel and is returning from a tour of duty abroad where it is evidenced the individual will not be in receipt of any leave in the near future that coincides with school holidays.
- Where an absence from the College is recommended by a health professional as part of a parent or child's rehabilitation from a medical or emotional issue.
- The death or terminal illness of a close relative
- Out of school programmes such as music, arts or sport operating at a high standard of achievement. Documentary evidence of this event will be required
- Religious observance - the Education Act 1996 S444(3c) states "*on any day exclusively set apart for religious observance by the religious body to which parent / carer belongs*".



Appendix 2

Intervention Pathway

97.5 - 100%

Attendance levels are good to excellent
Positive encouragement/incentives/rewards offered to encourage and maintain high attendance. If the absences are unauthorised, we may write to you. Monitoring continues.

97.5% = 1 week (5 days) missed school

95% - 97.4%

Attendance levels start to cause concern
The school analyses data and creates reports to regularly monitor attendance. If your child's attendance starts to fall the school may write to you expressing concerns and may advise that further absences will not be authorised without medical evidence. Monitoring continues. If the absences are unauthorised we may invite you to a meeting to discuss the barriers to your child's attendance and formulate an agreed course of action to support a return to regular attendance. Monitoring continues to assess impact of any agreed support or actions.

95% = 2 weeks (10 days) missed school

92.5 - 94.9%

Attendance levels causing further significant concern.
At this point you will be invited to a meeting at the school and a plan of action offered. A Home / College Agreement will be created to support an improvement in attendance. Your child will be monitored to ensure that there is an improvement in the coming weeks. You will be required to provide evidence to support absences and if none are received the absences will be recorded as unauthorised. You may be issued with a Final Warning Letter. Close monitoring is put in place to assess impact on attendance of any agreed support or actions.

92.5% = 2 weeks 4 days (14 days) missed school

90 - 92.4%

Attendance levels do not improve, and further unauthorised absences are recorded
You may be issued with a Final Warning Letter or sent a further absence letter notifying you of a request to the Local Authority to issue a penalty notice. Attendance will continue to be monitored and further interventions may be put in place.

90% = 3 weeks 4 days (19 days) missed

85 - 89.9%

Attendance levels do not improve, and further concerns are raised.
Below 90% means that your child is classed as a persistent absentee and further interventions may be instigated through legal routes if all other support has proved ineffective in improving attendance or there is lack of engagement by parents/carers. This may be with the use of a penalty notice or referral under Section 444 (1) (1a) for a legal meeting or an interview under caution. Monitoring continues.

85% = 5 weeks 4 days (29 days) missed school