



ATTENDANCE POLICY

SEPTEMBER 2022

<i>Created:</i>	<i>September 2017</i>
<i>Ratified by Governors:</i>	<i>July 2022</i>
<i>Next Review:</i>	<i>July 2023</i>

Definitions

AAP - Attendance Advisory Service

SIMs - School Information Management System

DfE - Department for Education

CME – Children Missing Education

For the purpose of this policy, a parent means:

- all natural parents, whether they are married or not;
- any person who has parental responsibility for a child or young person; and,
- any person who has care of a child or young person (i.e. lives with and looks after the child).

Section 1: Rationale

Introduction

This Policy represents our commitment to striving for 100% attendance, which is achievable, and achieved by many children. It sets out the principles, procedures and practice the school will undertake. Strategies, sanctions and possible legal consequences of poor Attendance and Punctuality are also detailed, as well as rewards for, and benefits of good attendance. This policy will be reviewed, amended as necessary and published annually in accordance with current legislation and guidance. The DfE guidance [Working Together to Improve School Attendance 2022](#) states that attendance to school is “essential for pupils to get the most out of their school experience, including their attainment, wellbeing, and wider life chances”.

Principles

- Receiving a full-time, suitable education is a child’s legal entitlement.
- It is a parents /carers’ legal responsibility to ensure this happens.
- Attending school regularly aids intellectual, social and emotional development and is essential if children are to benefit fully from their school life.
- Attending school regularly safeguards the welfare of children whilst they are not in the care of their parents.
- All children whose attendance is poor will be treated as vulnerable.

These principles are enshrined in British law, within the Education Act 1996, the Children Act 1989, and other associated pieces of legislation.

Aims of the Policy

- To ensure that all children attend school regularly and punctually, in order to maximise their educational achievement and social development. *Statistics show a direct link between under-achievement and absence below 95%.*
- To discharge the Academies duty to safeguard its pupils to the best of its ability.
- To ensure that all those responsible for children's education, including parents, carers, staff and governors understand and accept their responsibilities in relation to attendance.
- To minimise absence from school, thereby reducing levels of persistent absence.
- To improve the life chances of the children attending The Victory Academy and prepare them to be fully contributing citizens when they reach adulthood. *Regular attenders are more successful in transferring between primary school, secondary school, higher education and employment or training.*

Policy objectives:

- To safeguard the welfare, health, social and emotional development of children
- To reduce persistent absence
- To reduce or eliminate term time holidays/leave of absence
- To promote commitment to education and high achievement
- To maximise the potential of every individual pupil
- Ensure robust systems are in place to monitor and manage attendance and punctuality throughout the school

Section 2: Operating the Policy

Promoting Attendance

The Victory Academy will use all possible opportunities to promote the importance of good attendance and punctuality. These will include the home/school agreement, newsletters, rewards and incentives for good or significantly improving attendance. The foundation for good attendance is a strong partnership between the school, parents and the child.

The School will:

- Provide and promote a welcoming and positive atmosphere so that children feel safe, and know that their presence is valued.
- Raise awareness of the importance of full attendance and punctuality, using newsletters and other communications to parents; making attendance a high priority.
- Employ a key member of staff with responsibility for monitoring, improving and evaluating school attendance. At The Victory Academy, this role is fulfilled by Miss Wendy Reeve, Attendance Improvement Manager, Contact: 03333 602140, Email: Wendy.Reeve@victoryacademy.tsat.uk
- The Senior Leader responsible for the strategic approach to attendance to school is Mr Oliver Owen, Vice Principal. Contact: 03333 602141. Email: Oliver.Owen@victoryacademy.tsat.uk

- Encourage parents to fully support the policy as a vital contribution towards their child's education. All new parents are introduced to the Policy and information on attendance in the School Prospectus. It is also accessible on the School website.
- Encourage the children to have a positive attitude towards attendance and punctuality so that they can retain this into adult life.
- Celebrate good attendance by;
 - Issuing certificates for individual success termly
 - Certificates for form groups weekly and termly
 - Prize draws every second term
 - End of year certificates and prize draw
 - Privilege passes for first entry into the Galley.
- Ensure that attendance is effectively monitored, using SIMs registration system, and absences are followed up promptly in accordance with this policy.
- Communicate effectively with other agencies AAP, School Health, Traveller Education, Early Help, Social Services etc).
- Meet the legal requirements with the use of correct codes for absence, with particular reference to authorised and unauthorised absence. (*DFE guidance*)
- Ensure that all staff comply with the school policy and deal consistently with absence and punctuality.
- Ensure attendance information is available for Governors and parents.
- Share good practice with other schools.
- Have procedures in place to help children settle back to school after a long absence. It is important that on return from an unavoidable absence all pupils are made to feel welcome. This should include ensuring that the pupil is helped to catch up on missed work and brought up to date with any information that has been passed to the other pupils. The school will provide support on an individual basis which may include a personalised or individualised timetabled for an agreed time period. Any medical advice would be supported where possible.
- Liaise with the LA and other relevant agencies promptly for those children whose health needs do not allow them to attend school (*See Supporting Children with Medical Conditions policy for further details.*) [Medical-Policy-2021-23.pdf \(thevictoryacademy.org.uk\)](https://www.thevictoryacademy.org.uk/Medical-Policy-2021-23.pdf)
- Make every effort to meet the individual needs of the pupils with SEND

We expect the parent to:

- Provide up to date contact numbers and changes of address.
- Provide details of at least two contacts for emergency use.

- Notify the School when their child is unable to attend, with a reason, on the first day of the absence.
- Telephone the School after the first day of absence to advise the School if the absence is continuing.
- Keep the School well informed, in cases of lengthy absence. Parents/carers will be encouraged to keep absences to a minimum. A note or explanation from a child's home does not mean an absence becomes authorised. The decision whether or not to authorise an absence will always rest with the School.
- Provide medical evidence indicating attendance at the dentist, doctor or optician before the arranged appointment unless an emergency situation has arisen. Whenever possible all appointments should be made outside of school hours.
- Ensure that their child arrives at school on time each day.
- Let the School know if their child is going to be late, e.g. if a car breaks down; if an urgent appointment has been made.
- Understand the importance of good attendance and punctuality and promote this with their child, aiming for 100% attendance each year.
- Provide written explanations of any absence and medical evidence for whole day appointments as well as medical evidence for persistent absence from school due to alleged illness (see 3.1).
- Only request leave of absence if it is for an exceptional circumstance.

Ensuring your child's regular attendance at school is a parent/carer's legal responsibility (Section 444 of the 1996 Education Act) and permitting absence from school that is not authorised by the Head Teacher creates an offence in law.

We expect students to:

- Attend every day unless they are ill or have an authorised absence.
- Arrive in school on time.
- Go to all their registrations and lessons on time.
- *For Secondary Age students:* Take responsibility for registering at the Student Services if they are late or are leaving the school site during school hours.

Section 3: Recording attendance

Understanding types of absence coding

Every half-day absence from school has to be classified by the School as AUTHORISED or UNAUTHORISED. This is why information about the cause of any absence is always required, preferably in writing. Medical evidence may also be required in the form of a copy of a prescription, GP note, etc. Types of absence that are likely to be authorised are illness, medical or dental appointments that unavoidably fall in school time, emergencies.

Examples of types of absence that are **not** considered reasonable and which will **not** be authorised under any circumstances are:

- Going shopping with parents, Birthdays
- Minding other younger children in the family
- Sibling unwell
- Staying at home because other members in the family are unwell
- Day trips and holidays in term time unless there are exceptional circumstances that have been approved by the Head Teacher/Principal
- Arriving at school too late to get a present mark (After the close of registration)
- Truancy
- Death of a pet

A school can, if needed, change an authorised absence to an unauthorised absence and vice versa, if new information is presented. Any changes will be communicated to parents/carers. An example of this would be where a parent states a child is unwell but on return to school, there is evidence they have been on holiday.

Suspension from School

With effect from the 1st September 2022, any pupil who has been suspended from school, and provision has been arranged, if the student does not attend the provision this shall be recorded as an unauthorised absence. This may result in further action taken by the school, please see also penalty notice section.

SCHOOL PROCEDURES:

Registration and punctuality procedures

Legally the register must be taken twice a day, once at the start of the school day at 8:40am, and once during the afternoon session at 12:40pm. The registers will remain open for 20 minutes. Pupils arriving before the end of the Registration period will be coded L (Late before registers close) which is a present mark. The number of minutes late will be recorded in the register. Pupils arriving after the registers have closed will be coded U (Late after registers close) which counts as an unauthorised absence for the whole morning session.

Only the Head Teacher/Principal can authorise absence. If there is no known reason for the absence at registration, then the absence will be recorded as unauthorised, until a satisfactory reason is provided. If the reason given is not satisfactory in the school's view, and/or evidence of the reason cannot be provided, the absence will be coded as O (Unauthorised absent). It is reasonable for members of staff to ask questions regarding a child's attendance and punctuality and when appropriate, request evidence to support the reason for absence from school.

Pupils who are consistently late are disrupting not only their own education but also that of the other pupils. Ongoing and repeated lateness after the close of registration is considered as **unauthorised absence and will be subject to legal action**

If a pupil's attendance falls below 96%, parents will be contacted regarding their child's school attendance.

First Day Absence Contact

Parents are expected to notify the school if their child is unable to attend for any unavoidable reason, such as illness. Parents are requested to inform the school before 8:30am if their child is too unwell to attend school. If the school does not receive notification, it will text/telephone on the first day of absence, to try to ascertain the reason. First day contact will be carried out as early as possible in the school day, in order to notify parents whose children may have set off for school, but not arrived, as quickly as possible. If the child is still too unwell to attend the following day, parents will need to telephone the school again before 8:30am to inform them of this second day of absence. If a child is absent for longer than 3 days due to ill health, medical evidence will need to be provided in order that the school can authorise the absence. On return to school, the parent must put in writing the reason for absence in addition to telephoning the school on the days of absence.

Continuing Absence Procedures

If after 3 days of absence, your child has not been seen and contact has not been made with the school, we will make all reasonable enquiries to establish contact with parents/carers and the child, including making enquiries to known friends and wider family. In the event of an absence of three or more days without contact from the family, a home visit will be made, either by the Attendance Improvement Manager or other local authority professional, to ascertain the safety and well-being of the child and in addition to the reason for absence from school.

The Attendance Improvement Coordinator (AIC) shall take advice from the TSAT Safeguarding Team for any absences incurring more than 10 days.

Ten days' absence

We have a legal duty to report the absence of any pupil who is absent without an explanation for 10 consecutive days. If the child is not seen and contact has not been established with the named parent/carer then the local authority is notified that the child is *at risk of missing education (CME)*. The Attendance Advisory Service staff will visit the last known address and alert key services to locate the child. So help us to help you and your child by making sure we always have an up-to-date contact number. There will be regular checks on telephone numbers throughout the year.

Ensuring a good education for children who cannot attend school because of health needs

Miss Reeve will work together with the local authority and other relevant professionals to ensure any child who is going to be absent for longer than 15 days due to medical reasons either consecutively or accumulatively, will have access to relevant and appropriate education. This includes Public Exam provision and the education of siblings where the family have had to travel and stay away from the home. Please see *Supporting children with Medical Needs policy for further information*.

Part-time Timetables

All pupils of compulsory school age are entitled to a full-time education. In very exceptional circumstances, where it is in a pupil's best interests, there may be a need for a temporary part-time timetable to meet their individual needs. For example, where a medical condition prevents a pupil

from attending full-time education and a part-time timetable is considered as part of a re-integration package. ([Working Together to Improve School Attendance](#)).

A part-time timetable must only be in place for the shortest time necessary and not be treated as a long-term solution. Any pastoral support programme or other agreement should have a time limit by which point the pupil is expected to attend fulltime, either at school or alternative provision. There should also be formal arrangements in place for regularly reviewing it with the pupil and their parents. In agreeing to a part-time timetable, a school has agreed to a pupil being absent from school for part of the week or day and therefore must treat absence as authorised and code in the register as a C, which is an authorised absence.

Frequent/Persistent Absence Procedures

Regular monitoring of the registers will be made by the Attendance Improvement Coordinator, to identify pupils with a pattern of absences that may lead to Persistent Absence (PA). The Attendance Improvement Coordinator will be responsible for putting in place actions for each pupil of concern. Initially the school will try to resolve the problem with parents/carers and this may involve requesting medical evidence in order for the school to authorise any further absence due to ill health and/or an Attendance clinic with the Attendance Improvement Coordinator and relevant staff or outside professionals. However, if the pattern continues the school will make a referral to the Local Authority. The AAP and Attendance Improvement Coordinator will communicate regularly to discuss any attendance and punctuality concerns the school may have and review any current cases referred to the LA.

Parents/Carers of children whose attendance drops to below 96%, will receive a percentage information letter. In the event that there is then further absence from school, a letter to parents will now request that medical evidence is provided by the parent to enable the school to authorise any further absences due to ill health. Further unauthorised absence will result in a parental meeting to allow a plan of support to encourage regular attendance. Further unauthorised absence totalling 10 or more unauthorised sessions where support is not successful, or not engaged with, will result in a referral to the Local Authority for consideration of a Fixed Penalty Notice/Court action.

Reluctant attenders/school refusal

You should do everything possible to encourage your child to attend. However, if the reason for their reluctance appears to be school-based, such as difficulty with work, or bullying, please discuss this with the school at the earliest opportunity and the school will do everything possible to resolve. Colluding with your child's reluctance to attend is likely to make the matter worse.

School refusal/school phobia is a psychological condition that usually has been medically diagnosed. Other arrangements may be put in place for a child with genuine school phobia.

Consequences of Poor Attendance /Punctuality

For pupils whose attendance and/or punctuality fails to improve, after a range of interventions and support measures have been tried by the school, the ultimate consequences may be one of the following:

- 1) From February 2004, new measures introduced in the Anti-Social Behaviour Act 2003 have made it possible that certain cases of unauthorised absence from school amounting to 10 sessions (5 days) can be dealt with by way of a Penalty Notice. These Penalty Notices require the recipient to pay a fine of £60 per parent and per child, if paid within 21 days, or £120 if paid within 28 days. Failure to pay the Penalty Notice will result in prosecution in the Magistrates Court.
- 2) The Local authority may initiate court action under Section 444 of the Education Act 1996, which could lead to fines of up to £2,500, or even imprisonment.
- 3) In some cases, action may be taken under the Children Act 1989 to protect the welfare and development of the child.

Leavers and children who cease to attend without prior notice (CME) procedures

Parents must inform the school in writing if they are planning to remove their child The Victory Academy. This must include the details of the new school the child is planning to attend or that they are exercising their right to educate their child otherwise. All Education Otherwise information will be passed into the Inclusions Team at Medway Council, who are responsible for monitoring all children who are educated otherwise. If after ten day's continuous absence the school has been unable to ascertain the whereabouts of a pupil, they will refer the child's details to the Local Authority, in order to perform further checks that are not available to school.

Non starters

Pupils who are allocated places but fail to start are also treated as CME. If the school has been unable to make contact with the family during a ten-day period after their expected arrival, they will refer the pupils to the Local Authority for further checks.

Vulnerable Children

Children who are Looked After (LAC), subject to a Child Protection Plan (CP) or Children in Need (CIN) will be treated with highest priority and will be known to the Attendance Improvement Coordinator. Any unexplained absence will be followed up immediately by a telephone call to the home. Any outside professionals who are also working with the children and family will also be notified of the absence (Social worker, AAP etc). Children with Special Educational Needs (SEND) will be treated with similar priority in order that their time in school can be maximised, and their learning supported to the greatest extent possible.

USEFUL INFORMATION FOR PARENTS AND CARERS

This is a successful school, and you and your child play a part in making it so. We aim to encourage all members of the school community to reach out for 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 in good time for the start of the school day, every day the school is open, unless they are genuinely ill or there is some other unavoidable reason.

Some children are reluctant to go to school and say they do not feel well. It is for you as the adult to judge whether they are genuinely unwell, or just unwilling. It will be better for them in the long run to go to school rather than avoid it, as days off mean they will fall further behind and make them even more reluctant. Your job as the parent is to encourage them to attend.

Medical evidence may be any of the following:

Hospital discharge letter

Note from your GP

Copy of your appointment card from your GP

Copy of the prescription or copy of the medication label

Note from a pharmacist

Note from any other health care professional (e.g. physiotherapist, optician, podiatrist etc)

My child is trying to avoid coming to school. What should I do?

Contact the Attendance Improvement Coordinator immediately and openly discuss your worries. Your child could be avoiding school for a number of reasons – difficulties with schoolwork, bullying, friendship problems, family difficulties. It is important that we identify the reason for your child's reluctance to attend school and work together to tackle the problem. In some cases, you may find it helpful to discuss the circumstances of your child's difficulties with another professional.

What can I do to encourage my child to attend school?

Make sure your child gets enough sleep and gets up in plenty of time each morning. Ensure that he/she leaves home in the correct clothes and properly equipped. Show your child, by your interest, that you value his/her education. If child brings home a school diary each evening, please ensure you look at it with your child and sign it ready for the next day. Be interested in what your child is doing in school, chat to them about the things they have learnt, what friends they have made and even what they had for lunch!

EARLY HELP

Early identification of needs and support required can prevent concerns escalating. Early help plans should have focused outcomes for children and families, and should be actively planned with them. Plans should deliver evidence-based interventions using single agency or common assessment frameworks, and clear thresholds for specific agency intervention e.g. Social care, housing, mental health services. We see how early help can transform a child in school, not just what they are able to achieve academically, but how their personal, social and emotional development can thrive with the right support. We are committed to early help because it is the right thing to do for our children to give them the best start in life.

Understanding absence percentages: You may wonder why a school would be concerned if your child's attendance is 95%. This may make it easier to understand:

95% equates to half a day off every two weeks
90% equates to a day off every two weeks
85% equates to one and a half days off every two weeks
80% equates to one whole day off every week
A secondary age child whose attendance is 80% will have missed ONE WHOLE YEAR of education by the time they leave school

Even the brightest and most enthusiastic learner will find it hard to keep up with their work with these levels of absence. That is why we encourage the highest attendance possible.

Persistent Absence

A pupil is classed as a persistent absentee (PA) when they miss 10% or more schooling across the school year, **for whatever reason, whether it be authorised or unauthorised, or a mixture of both.** Absence at this level is doing considerable damage to a child's educational prospects and we need parents' full support and encouragement to tackle it. PA pupils are tracked and monitored carefully through our pastoral system, and we combine this with tracking academic progress to assess the effect on the pupil's attainment. If your child misses 10% (three weeks/sessions) or more schooling across the school year, for whatever reason, they are defined as *persistent absentees*. Absence for whatever reason disadvantages a child by creating gaps in his or her learning.

Reporting your child's absence

If your child is absent, you must:

- Contact the school as early as possible, but before 8:30am, on the first day of absence, either by telephone or in person, and
- Send a note in on the first day they return with an explanation of the absence

Penalty Notices

Penalty Notices can now be issued for a range of attendance-related offences, including unauthorised term-time holidays, poor attendance and poor punctuality, a child coming to the attention of the police in school time, or located twice or more in truancy sweeps in 6 months.

Applications for leave of absence in term time (includes Holidays in term time)

All pupils are encouraged to attend school every day of the 190 days that school is open. The register is called twice daily and pupils are expected to be present for the 380 sessions, or half days. That leaves 175 days for family holidays, shopping trips and other needs.

Parents of a child performer can seek leave of absence from school for their child to take part in a performance. They must contact the Headteacher/Principal to discuss the nature and frequency of the work, whether the child has a valid performance licence and whether education will be provided by the employer during any future leave of absence. It is, however, down to the Headteachers/Principals discretion as to whether to authorise this and they will wish to discuss with you the nature and frequency of the absence and how learning will continue if absence occurs.

Parents of able sportsmen and women can seek leave of absence from school for their child to

take part in regional, county, national and international events and competitions. It is, however, down to the Headteachers/Principals discretion as to whether to authorise this and they will wish to discuss with you the nature and frequency of the absence and how learning will continue if absence occurs. Permission for your child to leave early or arrive late to attend coaching and training sessions is also at the discretion of the Headteacher/Principal and is not likely to be approved if it is a regular event, unless the sports club or association is providing an education tutor as part of their coaching

As a school we prioritise teaching and learning, therefore, in accordance with the local and National guidelines, The Victory Academy does not authorise holidays during term time. Permission, however, may be granted only in exceptional circumstances, when the benefit of the absence far outweighs the benefit of school attendance. A request for such absence should be made in writing to the Headteacher/Principal. When requesting leave of absence during term time may you be reminded that 10 days of absence equates to 20 sessions missed schooling, which is equivalent to 5.2% of absence.

Please note: any child who has taken a term time holiday will be required to provide medical evidence for any further absences during the remainder of the academic year. Any absences due to ill health either directly before or after a school holiday will need to provide medical evidence in order for the school to authorise the absence.

In the case of all unauthorised leave of absences, incurring 10 or more unauthorised sessions (5 days), an application for a Fixed Penalty Notice will be made to the local authority.

Notes:

- From February 2004, new measures introduced in the Anti-Social Behaviour Act 2003 have made it possible that certain cases of unauthorised absence from school amounting to 10 sessions (5 days) can be dealt with by way of a Penalty Notice. These Penalty Notices require the recipient to pay a fine of £60 if paid within 21 days, or £120 if paid within 28 days. Failure to pay the Penalty Notice will result in prosecution in the Magistrates Court. Penalty notices will be issued to each parent/ carer that resides with the child.
- Non-payment of these fines will result in application to Criminal Court.
- If a Parent/Carer requests for a term holiday is refused, but the holiday taken, it will be classified as unauthorised absence and may be subject to a penalty notice being served to each parent/ carer that resides with the child by Medway's Attendance Advisory Service for Schools and Academies (AASSA)
- A formal application must be made in writing, IN ADVANCE and returned to the Attendance Improvement Coordinator.
- Permission sought after a holiday has been taken will not be granted.
- If the parent/ carer removes a student from their education for the purpose of a suspected holiday without advising the school this will be referred to the Attendance Advisory Practitioner (AAP). On the third day of absence a letter will be sent requesting that the parent/ carer contacts the school within 2 days to confirm the reason for absence. No response will assume to be a holiday absence and penalty notice(s) may be issued.

The Academies policy is not to authorise holidays during term time. Any applications for leave in term time must be made in writing to the Head Teacher/Principal. There is no automatic right to term time leave of absence, and your request is likely to be declined except in the most exceptional circumstances. Each application will be considered on its own merit, and the attendance record(s) of the child/ren concerned will be taken into account when making a decision.

Home Educated/Education Otherwise

On receipt of written notification to educate otherwise, parents will be invited into the school to discuss the reason for this decision and to seek a way forward that may enable the child to remain at the school if parents are in agreement. If the child does not remain at the school and is educated otherwise, the school must inform the pupils local authority that the pupil is to be deleted from the admission register.

Your contact details

Please make sure that the contact details you have given to the school are kept up to date, so that in the event of an accident, emergency or any other need to contact you we have the correct details.

Amendments to the Admissions Register and Attendance Register

Every amendment made to the admissions register and the attendance register must include the original entry, the amended entry, the reason for the amendment, the date on which the amendment was made and the name and position of the person who made the amendment.

Record preservation

School registers are legal documents. We will ensure compliance with attendance regulations by keeping attendance records for at least three years. Every entry in the admission register and attendance register must be preserved for a period of three years after the date on which the entry was made. Computer registers will be preserved as electronic back-ups or microfiche copies (if schools are not SIMS centrally hosted and do not have secure electronic server back-up they must print hard copies of the official registers and bind into annual volumes).

For national guidance, refer to: *Parental responsibility measures for behaviour and attendance*, which covers legal measures for non-attendance:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/581539/School_attendance_parental_responsibility_measures_statutory_guidance.pdf

Attendance falls below 96% - a first contact (%) letter is sent



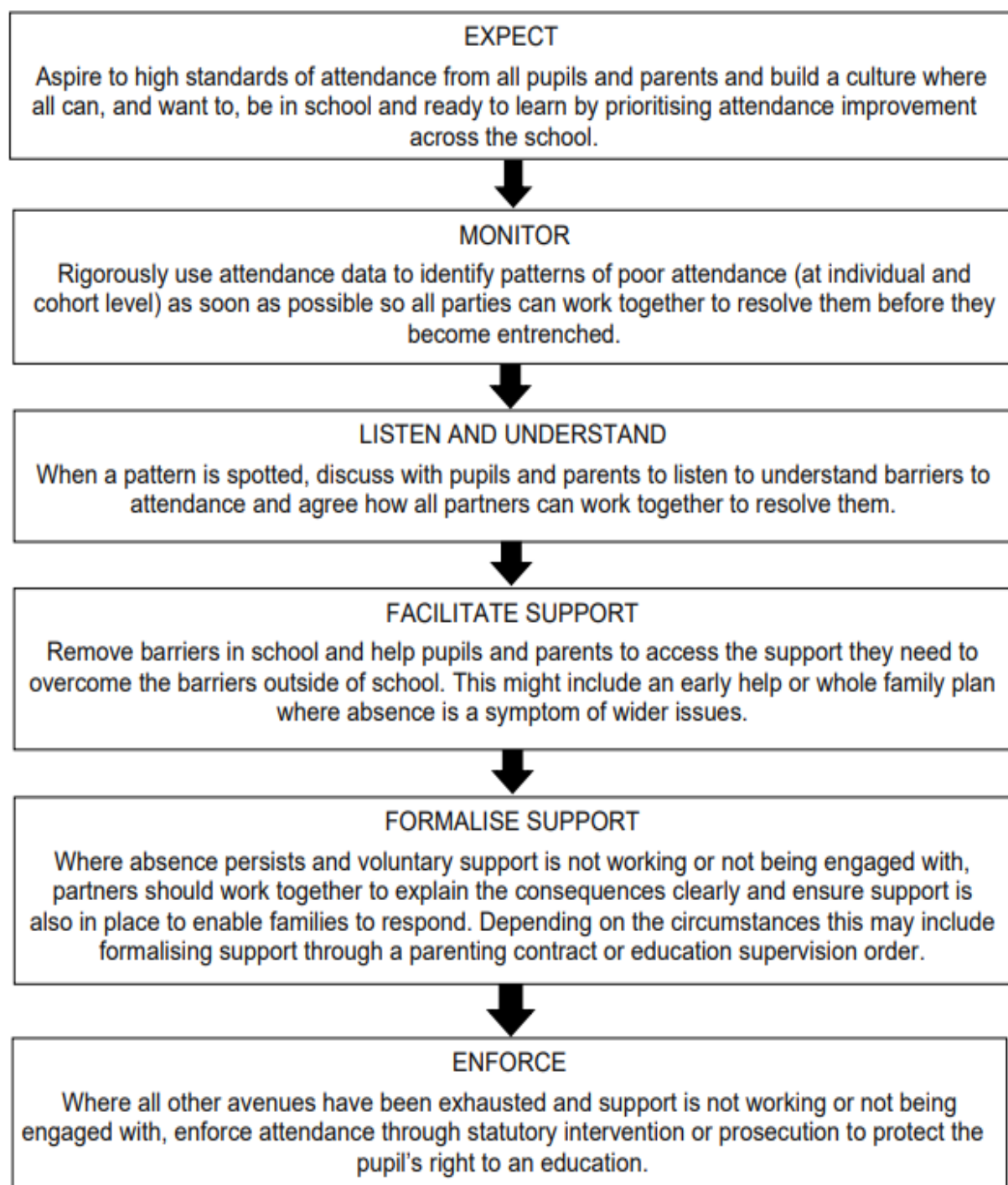
Further absence without medical evidence occurs - a letter requiring medical evidence is sent



Further absence without medical evidence - Parent is invited into school for a clinic/home visit is made. A follow-up letter confirming matters discussed and decisions made must be sent to the parent



Further unauthorised absences occur - a referral is made to the Local Authority. This should be as near to 10 sessions as possible





96% - 100%

Celebrate good attendance

Communicate success to parents and pupil.

85% - 95%

Cause for concern, track any relevant patterns, request medical evidence, meeting with parents/carers, consideration for Attendance Advisory Practitioner and/or other outside agencies, attendance contract, offer. In school support and resources. Early Help Assessment.

Below 85%

Possible statutory action/court warning/penalty notice through Attendance Advisory Practitioner intervention. Home visit if no contact over 3 days, consideration for consultation with social care. Ensure pupil is seen and listened to.

Section 7 of the Education Act 1996 states that *the 'parent of every child of compulsory school age shall cause him/her to receive efficient full time education suitable to his/her age, ability and aptitude, and to any special educational needs he/she may have, either by regular attendance at school, or otherwise.'*

Section 175 of the Education Act 2002 places a duty on local authorities and governing bodies to have regard to guidance issued by the Secretary of State with regard to safeguarding and promoting the welfare of children and students under the age of 18. The Children Act 1989 provides for a number of actions that can be taken to protect children's safety and welfare, on the premise that the welfare of the child is paramount.