



THINKING  
SCHOOLS  
ACADEMY TRUST

# ATTENDANCE POLICY

## SEPTEMBER 2024

*Working together to improve attendance*

Attendance is everyone's business

Name	Role
Mr O Owen	Head Teacher
Mr M Fenton	SLT Attendance champion
Miss W Reeve	Attendance Improvement Co Ordinator
Mrs A Pullen	Regional Safeguarding Lead

**Created:** September 2024

**Ratified by Governors:**

**Next Review:** July 2026

## 1 Rationale

### 1.1 Introduction

The Thinking Schools Academy Trust is committed to transforming life chances and are clear that regular and consistent attendance at school is the starting point to enable us to do this. Whilst it is the legal responsibility of parents to ensure that pupils receive a suitable, full-time education, we recognise that some pupils find it harder than others to attend school. We are committed to supporting all pupils to be able to attend school full time and we strive to remove any barriers preventing them from attending. 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 at school 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](#) 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”.

*The pupils with the highest attainment at the end of key stage 2 and key stage 4 have higher rates of attendance over the key stage compared to those with the lowest attainment. At KS2, pupils not meeting the expected standard in reading, writing and maths had an overall absence rate of 4.7%, compared to 3.5% among those meeting the expected standard. Moreover, the overall absence rate of pupils not meeting the expected standard was higher than among those meeting the higher standard (4.7% compared to 2.7%). At KS4, pupils not achieving grade 9 to 4 in English and maths had an overall absence rate of 8.8%, compared to 5.2% among those achieving a grade 4. The overall absence rate of pupils not achieving grade 9 to 4 was over twice as high as those achieving grade 9 to 5 (8.8% compared to 3.7%)*

### 1.2 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.

[Please click here for the DfE Summary table of responsibilities for school attendance](#)

## 2 Aims of the Policy

- Our school is a community, and it is always our aim for students to feel a sense of belonging and for school to be somewhere that pupils are keen to be and ready to learn. As a community we care about our pupils and are clear that regular attendance at school is an important protective factor and gives us the best opportunity to identify pupils who may need help or support. Our duty to safeguard all pupils is paramount and daily, full time attendance better enables us to carry out this duty towards all pupils, including those who may be deemed as vulnerable.
- We are committed to ensuring that our pupils and families get support and advice to make sure that pupils can attend school daily. We will work with a range of agencies who may be able to offer support and advice away from school, who will help us remove barriers to pupils attending school regularly. When needed, we will work closely with the local authority and parents with the aim of legal intervention being necessary.

## 3 Objectives

- 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 and severe 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.**
- To clearly set out why legal intervention with parents may be necessary and what preventative support we will/may offer before this point is reached.

## 4 Legislation and Guidance

4.1 This policy meets the requirements of the [Working together to improve attendance](#) 19<sup>th</sup> August 2024 from the Department for Education (DfE) and refers to the DfE's statutory guidance on school attendance parental responsibility measures.

4.2 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
- This policy also refers to the DfE's guidance on the school census, which explains the persistent absence threshold.

#### 4.3 The Law Relating to attendance and safeguarding:

- 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: (a) to age, ability and aptitude and (b) to any special educational needs he/she may have either at school or otherwise”

## 5 Definitions

### 5.1

**AAP** - *Attendance Advisory Service - Medway*

**SIMs** - **School Information Management System**

**DfE** - **Department for Education**

**CME** - **Children Missing Education**

**PA** - **Persistent Absence**

**SA** - **Severe Absence**

### 5.2 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).

5.3 Compulsory School Age: A child must start full-time education once they reach compulsory school age. This is on 31 December, 31 March or 31 August following their fifth birthday - whichever comes first. A child can leave school on the last Friday in June if they will be 16 by the end of the summer holidays. (see attendance coding guide in ‘School attendance Guidance for maintained schools, academies, independent schools and local authorities’) They must then do one of the following until they’re 18:

- ♣ stay in full-time education, for example at a college
- ♣ start an apprenticeship or traineeship
- ♣ spend 20 hours or more a week working or volunteering, while in part-time education or training

## 6 Operating the Policy

6.1 In line with “Working together to improve attendance” we will work with all partners to:

- **EXPECT:** aspire to high standards of attendance from all pupils and parents, building a culture where all can and want to, being school, ready to learn
- **MONITOR:** Rigorous use of attendance data to identify patterns of absence (at both individual and cohort level) so all parties can work together to resolve issues before they became entrenched.
- **Listen and Understand:** discuss with parents when patterns are identified, to be able to understand barriers to attendance agreeing how all partners can work together to resolve them.
- **Facilitate support:** Remove barriers in school and help families to access support needed to overcome the barriers outside of school. This may include Early Help or a whole family plan where absence is a symptom of wider issues

- **Formalise support:** Where absence persists and voluntary support is not working or not being engaged with, work together to explain the consequences clearly and ensure support is in place to enable families to respond. This may include formal support through an attendance contract or education supervision order.
- **Enforce:** Where all avenues have been exhausted and absence continues to cause concern, statutory intervention may be required to enforce attendance: a penalty notice in line with the National Framework or prosecution to protect the pupils right to education.

## 7 Roles and Responsibilities

### 7.1 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, attendance contracts, newsletters, Assemblies and Learning Period 1, 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. Good attendance is a learned behaviour. *The Victory Academy* recognises that to have good attendance is an integral part of the school's ethos and culture and not a discrete piece of work

7.1 Trustees and Governing Bodies will fulfil expectations as set out in "[Summary table of responsibilities for school attendance](#)"

7.2 The governing board is responsible for monitoring attendance figures for the whole school. It also holds the headteacher to account for the implementation of this policy.

7.3 The school will, under the direction of the Head Teacher/Head of School:

- Fulfil expectations as set out in "[Summary table of responsibilities for school attendance](#)"
- Provide and promote a welcoming and positive atmosphere so that pupils feel safe, know that their presence is valued thus encouraging pupils to have a positive attitude towards attendance and punctuality so that they can retain this into adult life.
- Ensure that the school/Academy is a calm, orderly, safe and supportive environment where pupils are keen and ready to learn so that the school is a place that pupils want to attend
- Develop and maintain a whole school culture that promotes the benefits of attendance making attendance a high priority and communicate those expectations clearly and consistently (this may include sending letters and information to parent's email addresses)
- Ensure that staff (teaching and non-teaching) understand the importance of good attendance, what the barriers to good attendance can be and have an understanding of this policy and their role in it.
- Ensure that the link between safeguarding and poor attendance is understood by all staff and that DSLs/ Safeguarding leads work regularly and closely with AICs
- Work together with families listening to and understanding, barriers to attendance and work together to remove them.
- Ensure that procedures for daily monitoring of attendance are understood by all and consistently actioned in line with legal expectations on schools and statutory duties

- Registers are accurately completed and have robust process in place to follow up absence and applying those processes rigorously. This will include absence phone calls home as part of the 'immediate action' list.
- Ensure that this policy is applied consistently and fairly but when appropriate giving consideration for individual circumstances particularly with regard to the Equality Act 2010 and UN Conventions on the Rights of the Child
- Employ a key member of staff with responsibility for monitoring, improving and evaluating school attendance known as Attendance Improvement Coordinator (AIC). At *The Victory Academy* this role is fulfilled by *Miss W Reeve 0333 360 2140 wendy.reeve@victoryacademy.tsat.uk* The AIC will work in partnership with families, ensure home visits are conducted and work in partnership with school leaders, the LA School Attendance Support team and other outside agency partners such as Social Care, Youth Offending Team etc
- Ensure the AIC has enough time and support to carry out the work that is required to fulfil the expectations of the role
- Ensure there is a Senior Attendance Champion (Senior Leadership Team) responsible for the strategic approach to attendance to school (Mr M Fenton, *matthew.fenton@victoryacademy.tsat.uk*)
- Ensure the AIC is informed of all decisions made by relevant staff that results in a pupil's absence from school (e.g sent home unwell, suspension, in Police custody).
- Analyse attendance and absence data regularly to identify pupils or cohorts that need additional support with their attendance and use this analysis to put effective strategies in place. This will include looking at historic and emerging patterns of attendance and absence, and then develop strategies to address these patterns
- Ensure attendance support and improvement is appropriately resourced, including where applicable through effective use of pupil premium funding
- Have a clear school attendance policy which all staff, pupils and parents understand. All new parents are introduced to the Policy and information on attendance in the School Prospectus. It is also accessible on the school website. Parents will also be reminded of the policy intermittently as well as when the policy is updated.
- Sensitively and without discrimination celebrate good attendance with positive points, certificates, attendance raffles and acknowledgement with all stakeholders including, students, parents/carers and staff. Visibly demonstrate the benefits of good attendance throughout school life. This may include displays, assemblies, etc.
- Meet the legal requirements with the use of correct codes for absence, with particular reference to authorised and unauthorised absence. (*DFE guidance*)
- Provide training for staff in all matters of attendance, this will include mandatory training refreshed at least every 2 years for the Senior Attendance Champion (SLT) and the AIC
- Ensure attendance information is available for Governors at least 3 times a year, sharing action plans for areas where improvement is needed.
- Share information and work collaboratively with other schools in the area, local authorities and other partners where a pupil's absence is at risk of becoming persistent or severe. This may include School Health, Early Help, Traveller Education, Social Services etc
- Have procedures in place to help children settle back to school after a long absence. It is important that on return from an 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 Heads of Year will liaise with both the Student Services Manager – Mr D Miller and Miss Reeve to ensure the return to school is managed appropriately

- 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\\_23-25.pdf \(thevictoryacademy.org.uk\)](https://www.thevictoryacademy.org.uk/medical_policy_23-25.pdf)
- Make every effort to meet the individual needs of the pupils with SEND

**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.**

#### 7.4 We expect School staff to:

- Fully participate in training provided about attendance
- Consistently contribute to making sure all areas of the school provide a calm, orderly, safe and supportive environment by following relevant policies (e.g. safeguarding and behaviour)
- To build positive relationships with all pupils so that school is a place that they feel welcome, supported and understood (Links to staff code of conduct)
- After a period of absence, work with colleagues to ensure that gaps in learning/curriculum are identified quickly and support put in place to fill gaps

#### 7.5 We expect the parent to:

- Provide up to date contact numbers and changes of address. 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.
- 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 to authorise an absence or not, 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.

- Work Together with the school where there are concerns regarding the regular attendance at school or punctuality to school this will include attending scheduled meetings which can be re arranged with prior notice in consultation with the school, in a timely manner so as not to incur further unnecessary absence from school.
- 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.
- Not to arrange term time holidays and only request leave of absence if it is for an exceptional circumstance using the schools' exceptional circumstances form.

#### 7.6 We expect students to:

- Attend every day unless they are medically unfit to attend school 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 signing out The Hatch in Student Services, if they are leaving the school site during school hours. Signing in at reception when arriving late after 9:05am.

#### 7.7 The TSAT Safeguarding central team will:

- Advise on legal requirements and responsibilities in all matters of attendance and ensure compliance in these areas through a collaborative working partnership with schools.
- Advise and support where appropriate, escalation and challenge when attendance is of significant concern
- Provide 6 AIC forums per academic year building on the knowledge and skill on AIC's
- Advise SLT Attendance Champions on the school's strategic approach to improving attendance which may include attendance at AIC line management meetings.
- Audit all areas of attendance at least biannually providing challenge to support improvement
- Link together with Governor's to ensure there is appropriate overview of attendance
- Create, deliver and monitor mandatory attendance training for AIC and SLT Attendance champion. This will be refreshed at least every 2 years.
- Create whole school staff training in attendance for the SLT/AIC or RSL to deliver.

**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/Principal creates an offence in law.**

### **8 Sharing effective practice on attendance management and improvement across schools**

One of the most successful approaches to improving attendance is the sharing of effective practice between schools. As a Multi Academy Trust, we will therefore, provide regular opportunities to bring together staff from different schools to learn from each other's attendance expertise and share effective interventions. As a minimum this may include, sharing exemplar resources and documents such as communications to pupils and parents, regular networking or Q&A sessions, and topical best practice training or webinars.



## **9. Registration and punctuality procedures/expectations**

9.1 Legally the register must be taken twice a day, once at the start of the school day at 8.35 am, and once during the afternoon session at 2.05 pm. The registers will remain open for 30 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.

### 9.2 Primaries – End of day procedure

Please collect your child promptly at the end of the school day. Where late collection is persistent and/or significantly, late, the school is obliged to take any uncollected pupil to a place of safety and share concerns, as necessary, with other agencies. If one is available, the school will place a child into the after-school club and provide the parent/carer with the bill.

9.3 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.

9.4 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**

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

## **10 Absence Procedures**

### 10.1 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 8am 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 am 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.

### 10.2 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 Miss W Reeve,

Attendance Improvement Coordinator, Miss R Fill, Family Liaison Officer 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.

### 10.3 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. Please 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.

## 11 Medical conditions affecting attendance

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

**Miss W 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 (sec 19). 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 the Trust Policy *Supporting Children with Medical Needs policy* [medical\\_policy\\_23-25.pdf \(thevictoryacademy.org.uk\)](https://thevictoryacademy.org.uk/medical_policy_23-25.pdf) for further information available on the school website.

**11.2 Section 19 of the Education Act 1996** (as amended by Section 3 of the Children Schools and Families Act 2010) provides a duty on local authorities of maintained schools to arrange suitable education for those who would not receive such education unless such arrangements are made for them. This education must be full time, or such part time education as is in a child's best interests because of their health needs.

### 11.3 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.

### 11.4 Mental Health, Emotionally Based School Avoidance and Wellbeing

Emotionally Based School Avoidance (EBSA) is a broad umbrella term used to describe children and young people who have severe difficulty in attending school due to emotional factors, often resulting in prolonged absences from school.

The impact of EBSA on children is far-reaching, it has been linked to seriously hampering children's psychological, social, and academic performance and subsequently performance in exams and employment opportunities.

Parents who have concerns about their child's mental wellbeing can contact our school's Designated Safeguarding Lead, Mrs T Hope. Terri.hope@vicotryacademy.tsat.uk Or other key professionals in the setting, Miss R Fill or Mr D Miller, SENCO, SMHL, for further information on the support available.

Parents should also contact their GP or the NHS Helpline by phoning telephone number 111 for advice if they are concerned. In case of emergency parents should dial 999.

## **12 Reduced Timetables**

12.1 All pupils of statutory 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 reduced 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](#)).

12.2 A reduced 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 reduced 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.

12.3 The school will share the relevant reduced timetable paperwork with the Trust Safeguarding Team who will ensure that the reasons for the timetable are necessary and proportionate.

## **13 Frequent/Persistent Absence Procedures**

13.1 Regular monitoring of the registers and analysis of data, will be undertaken by the Attendance Improvement Coordinator, to identify pupils with a pattern of absences that may lead to Persistent Absence (PA) and Severe Absence. This will also include contributing to the targeted support meetings with The LA. 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, an attendance contract and/or an Attendance clinic with the Attendance Improvement Coordinator and relevant staff or outside professionals. However, if the pattern continues the school will convene a further meeting with The SLT Attendance Champion and Trust Leader and parents. Following this, if there is still no improvement, evidence will be provided to Medway LA to proceed with legal intervention. will make a referral to the Local Authority. The Attendance Improvement Coordinator will communicate regularly to discuss any attendance and punctuality concerns the school may have with outside agencies and the Local Authority

3.2 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 meetings *and the Notice to Improve period* to allow a plan of support *and monitoring period* to encourage improved 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 Penalty Notice/Court action

#### **14 Consequences of Poor Attendance /Punctuality**

14.1 If a child of compulsory school age fails to attend regularly at a school at which they are registered, or at a place where alternative provision is provided for them, their parents may be guilty of an offence and can be prosecuted by the local authority.

14.2 Prosecution in the Magistrates Court is the last resort where all other voluntary and formal support or legal intervention has failed or where support has been deemed inappropriate in the circumstances of the individual case.

14.3 Local authorities have the power to prosecute:

- Parents who fail to comply with a school attendance order issued by the local authority to require a parent to get their child registered at a named school (under section 443 of the Education Act 1996). This may result in a fine of up to level 3 (£1,000).
- Parents who fail to secure their child's regular attendance at a school, for which there are 2 separate offences: section 444(1) where a parent fails to secure the child's regular attendance; and section 444(1A) where a parent knows that the child is failing to attend school regularly and fails to ensure the child does so. The section 444(1) offence may result in a fine of up to level 3 (£1,000) and the section 444(1A) offence may result in a fine of up to level 4 (£2,500), and/or a community order or imprisonment of up to 3 months.
- Parents who fail to secure the regular attendance of their child at a place where the local authority or governing body has arranged alternative provision (under sections 444 and 444ZA). This may result in a fine up to level 3 (£1000), or if the parent is found to have known the child was not attending regularly and failed to ensure that they did so, a fine of up to level 4 (£2500), and/or a community order or imprisonment of up to 3 months.
- Parents who persistently fail to comply with directions under an Education Supervision Order (under Schedule 3 to the Children Act 1989) or breach a Parenting Order or directions under the order (under section 375 of the Sentencing Act 2020). These may result in a fine of up to level 3 (£1,000).

#### **15 Purpose of penalty notices**

15.1 Penalty notices are issued to parents as an alternative to prosecution where they have failed to ensure that their child of statutory school age regularly attends the school where they are registered or, in certain cases, at a place where alternative provision is provided. Penalty notices can be used by all schools (with the exception of independent schools) where the pupil's absence has been recorded with one or more of the unauthorised codes and that absence(s) constitutes an offence. A penalty notice can be issued to each parent liable for the offence or offences. They should usually only be issued to the parent or parents who have allowed the absence (regardless of which parent has applied for a leave of absence).

15.2 Penalty notices must be issued in line with the Education (Penalty Notices) (England) Regulations 2007, as amended and can only be issued by a headteacher or someone authorised by them (a deputy or assistant head), a local authority officer or the police. They must also be issued in line with Local Codes of Conduct which are drawn up and maintained by each local authority.

15.3 A penalty notice may also be issued where parents allow their child to be present in a public place during school hours without reasonable justification during the first 5 days of a fixed period or permanent exclusion. The school must have notified the parents of the days the pupil must not be present in a public place. This type of penalty notice is not included in the National Framework and therefore not subject to the same considerations about support being provided or count towards the limit as part of the escalation process in the case of repeat offences for non-attendance.

15.4 The threshold is 10 sessions of unauthorised absence in a rolling period of 10 school weeks. A school week means any week in which there is at least one school session. This can be met with any combination of unauthorised absence (e.g 4 sessions of holiday taken in term time plus 6 sessions of arriving late after the registration closes all within 10 school weeks). The period of 10 school weeks can also span different terms or school years (e.g. 2 sessions of unauthorised absence in the Summer term and a further 8 within the Autumn Term).

## **16 Two penalty notice limit and escalation in cases of repeat offences**

16.1 A penalty notice is an out of court settlement which is intended to change behaviour without the need for criminal prosecution. If repeated penalty notices are being issued and they are not working to change behaviour they are unlikely to be most appropriate tool. Therefore, from autumn term 2024, only 2 penalty notices can be issued to the same parent in respect of the same child within a 3-year rolling period and any second notice within that period is charged at a higher rate:

- The first penalty notice issued to a parent in respect of a particular pupil will be charged at £160 if paid within 28 days. This will be reduced to £80 if paid within 21 days.
- A second penalty notice issued to the same parent in respect of the same pupil is charged at a flat rate of £160 if paid within 28 days.
- A third penalty notice cannot be issued to the same parent in respect of the same child within 3 years of the date of issue of the first. In a case where the national threshold is met for a third time (or subsequent times) within those 3 years, alternative action should be taken instead. This will often include considering prosecution but may include other tools such as one of the other attendance legal interventions.

16.2 Where the pupil's previous school was in the same local authority area this check will be simple. If the pupil has moved between local authorities in the previous 3 years and the previous local authority(ies) is known, they should be contacted to check whether a penalty notice has been issued to that parent for that pupil in the previous 3 years.

### **There is no right of appeal by parents against a penalty notice**

#### **17 Children who are absent from education:**

17.1 Children being absent from education for prolonged periods and/or on repeat occasions can act as a vital warning sign to a range of safeguarding issues including neglect, child sexual and child criminal exploitation - particularly county lines. It is therefore important that the school responds to persistently absent pupils and children missing education as it supports identifying such abuse, and in the case of absent pupils, helps prevent the risk of them becoming a child missing education in the future.

17.2 This includes when problems are first emerging but also where children are already known to local authority children's social care and need a social worker (such as a child who is a child in need or who has a child protection plan, or is a looked after child), where being absent from education may increase known safeguarding risks within the family or in the community. Further information and support, includes:

- Guidance on school attendance ['Working together to improve school attendance'](#) including information on how schools should work with local authority children's services where school absence indicates safeguarding concerns.
- Information regarding schools' duties regarding children missing education, including information schools must provide to the local authority when removing a child from the school roll at standard and non-standard transition points, can be found in the department's statutory guidance: [children-missing-education](#)
- further information for colleges providing education for a child of statutory school age can be found in: [full-time-enrolment-of-14-to-16-year-olds-in-further-education-and-sixth-form-colleges](#)
- general information and advice for schools and colleges can be found in the Government's [missing-children-and-adults-strategy](#)
- [Is my child too ill for school?](#)
- [everything you need to know about school attendance](#)
- [school attendance and absence](#)

#### 17.3 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 from 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.

#### 17.4 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.

#### **18 Vulnerable Children**

18.1 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.

For the most vulnerable pupils, regular attendance is also an important protective factor and the best opportunity for needs to be identified and support provided. Research has shown associations between regular absence from school and a number of extra-familial harms, including crime (the proportion of children that had been cautioned or sentenced for any offence that had ever been persistently absent was 81% and for serious violence offence was 85%)

#### **19 Traveller Absence**

19.1 The school will authorise the absence of a Traveller pupil of no fixed abode who is unable to attend school because they are travelling with their parent who is engaged in a trade or business of such a nature as to require them to travel from place to place. This is subject to certain limits, depending on the child's age and number of sessions absent. The school will discuss cases individually with Traveller parents as necessary. Parents should let the school know of their plans as far in advance as possible. Authorised Traveller absence will be recorded appropriately in the register.

To help ensure continuity of education for Traveller children, wherever possible, the child should attend school elsewhere when their family is travelling for occupational purposes. In which case the child will be dual registered at that school and this school, which is their 'main' school.

Children from Gypsy, Roma and Traveller communities whose families do not travel for occupational purposes are expected to register at school and attend as normal. They are subject to the same rules as other children in terms of the requirement to attend school regularly.

**20 Religious Observance:** Our school acknowledges the multi-faith nature of the school community and recognises that on some occasions, religious festivals may fall outside of school holidays or weekends. In accordance with the law, the school will authorise one day's absence for a day exclusively set apart for religious observance by the religious body to which the parent belongs. Should any additional days be taken, these will be recorded in the register as unauthorised absence. If necessary, the school will seek advice from the parents' religious body, to confirm whether the day is set apart

**21 Participating in a performance:** 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 (remains satisfied that this will not have a negative impact on the pupil's education) and they will wish to discuss with you the nature and frequency of the absence and how learning will continue if absence occurs.

**22 Participating in a supervised sporting activity :** 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.

### **23 Sixth Form Attendance at School**

23.1 Attendance is expected to be above 96% over the course of the year, the same as in the rest of the school. Failure to achieve this level of attendance may put your child's place in the Sixth Form at risk and will have a detrimental impact on future exam results. Studies show that on average, students drop a grade for every 10% of school lessons missed over the course of a year.

#### **23.2 Expectations**

All students are expected to attend all lessons and arrive on time. Good attendance is an essential part of applications to Higher Education establishments or employment. Students are expected to arrive in School, ready for learning no later than 8.30 am and attend registration. For safeguarding purposes, it is essential that students are registered as attending school. Students must attend for the full day from registration through to Period 6. In addition to timetabled lessons, students have timetabled study periods for independent study. For students who are in receipt of the bursary, an attendance below 96% within a half termly payment period will result in a percentage loss of a bursary payment.

#### 23.7 Part-time work

Students must not undertake part time work during the school day. Studies have shown that more than 10 hours of paid work a week results in students dropping at least a grade at A Level nationally.

Students must not allow part-time employment to affect school or attendance. Any such employment must not be undertaken during School hours, 8.45am-4pm. No part time job should impact on study.

Full-time study commitments take priority over part-time work. All courses at The Victory Academy Sixth Form are **full time** courses.



### 23.8 Signing In and Out

For Health and Safety reasons it is a legal requirement that we know who is in the school building at all times. Students must make sure that they sign in each time they enter the school building and then sign out each time they leave the building throughout the day.

23.9 Procedures for absence: Procedures for non-attendance will follow the same process as for years 7 – year 11 in terms of letters, monitoring reviews, request for medical evidence and meetings. We may also involve the relevant professionals to provide/offer support as and when necessary.

## 24 Understanding types of absence coding

24.1 Every half-day absence from school must 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 and emergencies.

24.2 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

24.3 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.

**25 Suspension from School:** With effect from the 1<sup>st</sup> 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.

## APPENDIX 1

### 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

Evidence of an e-consult outcome

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. Early Help plans should be regularly reviewed.

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.

**For infant and primary schools:**

For many parents, your child attending school may be your first experience of being separated from them. This can seem daunting at first for both of you, but consistency and a caring, supportive home and school life will make the transition a quick and easy experience for you both

Ensuring your child’s regular attendance at school is YOUR legal responsibility and permitting absence without good reason is an offence in law and may result in legal action being taken, or a Penalty Notice being issued.

Any absence affects the child’s learning, and the more they miss the harder it will be for them to catch up. Research has shown that for every percentage point of absence, attainment is significantly lower.

There is extensive research linking poor school attendance and exclusion with crime and anti-social behaviour, and risk of exploitation by unsuitable adults. For this reason, failure to attend regularly will be regarded as a safeguarding issue. To facilitate effective working across the LA, a pupil’s social worker and /or youth offending team worker will be informed of unexplained absences from school.

**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**

Attendance during school year	Days lost in a year	Which is approximately	Approximate number of lessons missed
95%	9.5 Days	2 Weeks	50 Lessons
90%	19 Days	4 Weeks	100 Lessons

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.

**Effects of Late Arrival at School:** When a child arrives late to school, they miss important events like assembly, teacher instructions and introductions. Children often also feel embarrassed at having to enter the classroom late.

The table below indicates how frequent lateness can add up to a considerable amount of learning being lost. This can seriously disadvantage children and disrupt the learning of others.

Minutes late per Day	Equates to Days of Teaching Lost in one Year	Which means this number of lessons missed
5 mins	3 Days	15 Lessons
10 mins	6 Days	30 Lessons
15 mins	9 Days	45 Lessons

### 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.

### Severe Absence

Particular focus should be given by all partners to pupils who are absent from school more than they are present (those missing 50% or more of school). These severely absent pupils may find it more difficult to be in school or face bigger barriers to their regular attendance and as such are likely to need more intensive support across a range of partners. A concerted effort is therefore needed across all relevant services to prioritise them. All partners should work together to make this group the top priority for support – this may include specific support with attendance or a whole family plan, but it may also include consideration for an education, health and care plan or an alternative form of educational provision where necessary to overcome the barriers to being in school. If all avenues of support have been facilitated by schools, local authorities, and other partners, and the appropriate educational support or placements (e.g. an education, health and care plan) have been provided but severe absence for unauthorised reasons continues, it is likely to constitute neglect. Schools and local authorities should be especially conscious of any potential safeguarding issues in these cases and where these remain, conduct a full children’s social care assessment.

### Reporting your child’s absence

If your child is absent, you must:

- Contact the school as early as possible, but before **8.00** am, 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 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)**

The DFE does not consider a need or desire for a holiday or other absence for the purposes of leisure and recreation to be an exceptional circumstance. The fundamental principles for defining 'exceptional circumstances' are that they are 'rare, significant, unavoidable and short' All pupils are therefore 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.

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 principal, using the Exceptional Circumstances form. 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 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 £80 if paid within 21 days, or £160 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. Cases found guilty in Magistrates Court can show on the parent's future DBS certificate, due to a "failure to safeguard a child's education"
- 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 using the Exceptional Circumstances form, 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.

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.

### **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 six years. Every entry in the admission register and attendance register must be preserved for a period of six 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](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



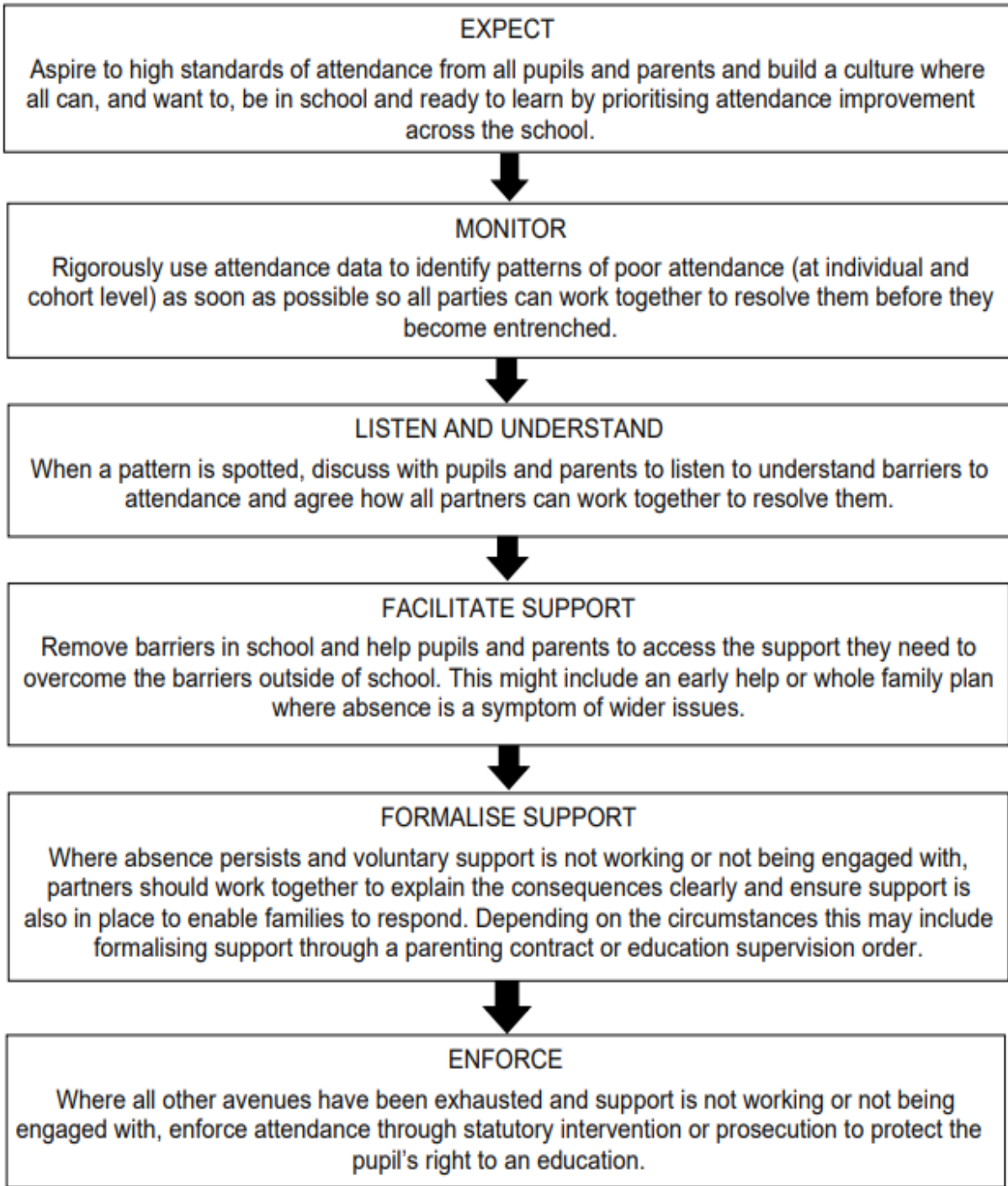
Further absence without medical evidence occurs - a letter requiring medical evidence is sent



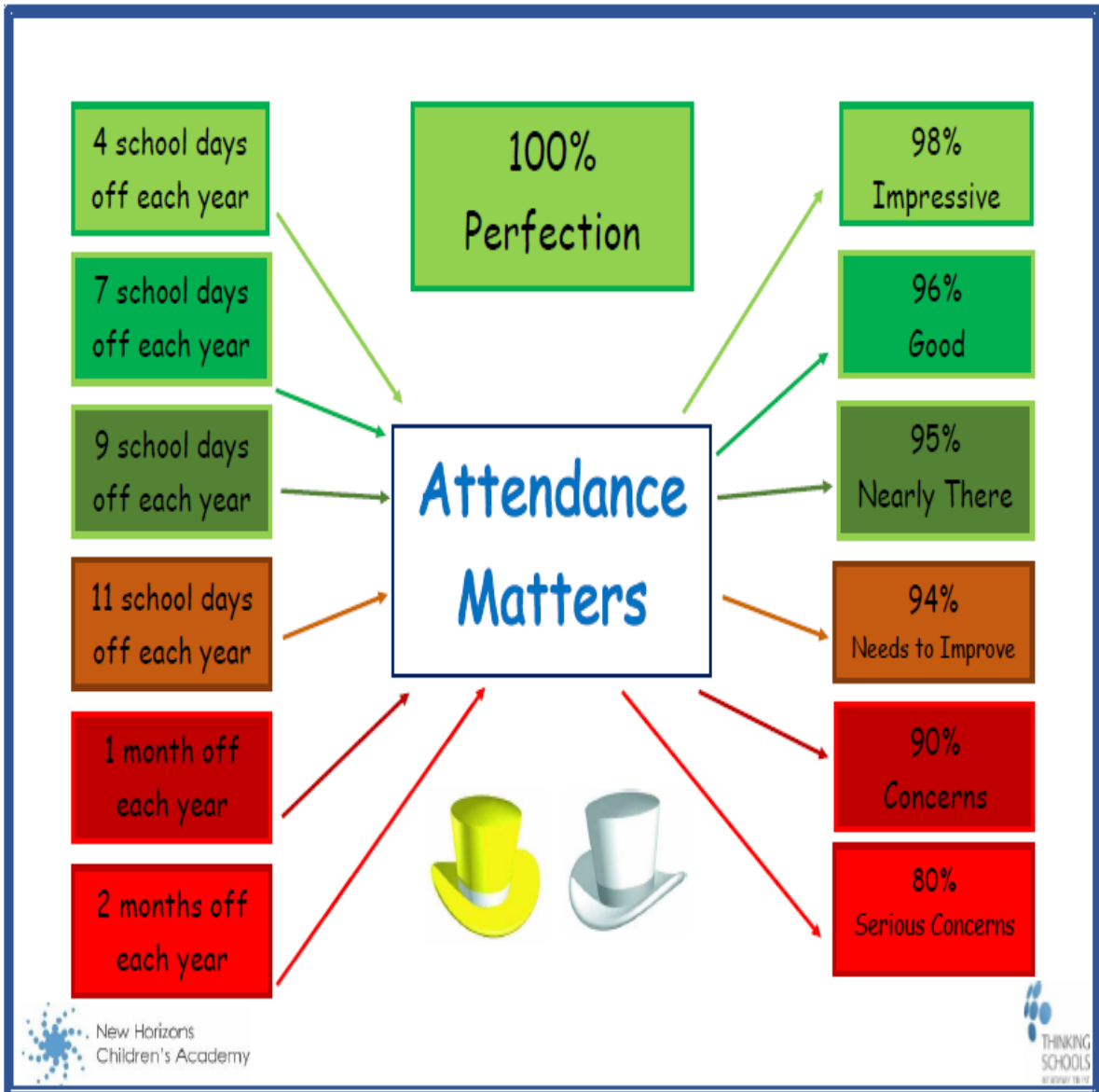
Further absence without medical evidence - Parent is invited into school for a clinic/home visit is made. A follow-up letter confirming matters discussed and decisions made must be sent to the parent



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







Section 7 of the Education Act 1996 states that the 'parent of every child of statutory 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.