



## **ATTENDANCE POLICY**

**Policy written by: Ian Farr & Shahla Matarazzo**

Approved: March 2018

**Review:**

## 1. Introduction

Every day missed from school is a lost opportunity. Requests for holidays during term time have increased and it is important that parents are aware that these will be refused unless there are really exceptional circumstances. If a child is taken away for a two week holiday every year and has the average number of days off for sickness and appointments, by the time they leave at 16 they will have missed a year of school.

Staff monitor attendance closely and parents of any child whose attendance is seen to be of concern below 90% in the first half term rising to below 96% as the year progresses will be contacted by the college.

Linton Village College aims to:

- raise levels of achievement by ensuring the highest possible levels of attendance; punctuality and involvement in the college;
- ensure that every student has access to the education to which they are entitled and
- be proactive in addressing early patterns of absence.

## 2. Legal and National Context

Amendments to the Education (Pupil Registration) Regulations 2006 make clear that Head teachers may not grant leave of absence during term time unless there are very exceptional circumstances. The College upholds these regulations and applications for holiday or leave during term time will not be authorised. To avoid difficulty or disappointment, parents are asked to refrain from such requests.

Amendments have also been made to the 2007 Regulations in the Education (Penalty Notices) (England) (Amendment) Regulations 2013. The amendments described below came into force on 1<sup>st</sup> September 2013.

Penalty notices (fines) may be issued to each parent who fails to ensure their children's regular attendance at school or fails to ensure that their excluded child is not in a public place during the first five days of exclusion. Parents must pay £60 within 21 days; or £120 within 28 days. Fines for term time holidays are PER PARENT PER CHILD

## 3. Implementation

The College will:

- ensure that college policy with regard to term-time holidays is clearly stated in the college prospectus, on the college website and is communicated to parents termly;
- remind parents of the importance of ensuring their children's regular, uninterrupted college attendance;
- actively discourage parents from arranging holidays during term-time;
- 
- unequivocally remind parents that they do not have any right or entitlement to expect term-time leave to be granted and that all leave is granted at the discretion of the Principal (or those authorised to exercise discretion on her behalf). It is the College that decides whether an absence is authorized (not parents and carers);
- advise parents that if leave is taken without authorisation it will be recorded in the College attendance register as unauthorised absence, and that the matter may be referred to the attendance team;
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- advise parents/carers that where attendance falls below 90% and is mainly unauthorised in the previous 6 week period, this may action a referral to Cambs County Council for the involvement of the EWO who will invite parents in to a, “parent contract meeting;”
- advise parents that non-attendance or absence that is unauthorised and that any authorised attendance which falls below 96% will result in contact from the College; attendance below 90% could result in parenting contracts, or legal enforcement including Penalty Notices, School Attendance Orders, Education Supervision Orders or prosecution;
- provide attendance data on the termly report;
- report on attendance to Governors and
- pass on attendance data to all Post 16 centres as required.

#### **4. Promoting Attendance**

The college uses opportunities as they arise to remind parents and pupils of the importance of attendance for instance through parent information evenings, the pupil planner, Parent Handbooks and home/school agreements. Attendance is also celebrated through assemblies and attendance awards.

In addition the following personnel have a key role in supporting good attendance.

##### **4.1. Lead tutors, who will:**

- give attendance a high profile at assemblies and college events;
- monitor Year Group attendance targets and record keeping;
- implement system of rewards and sanctions;
- support Tutors on issues of non-attendance and with internal truancy, remedying causes and applying sanctions;
- meet with parents to discuss attendance problems as soon as they are identified;
- lead on strategies to improve attendance of students who are identified as being a concern through meetings with students and parents;
- work with the Student support team to implement the two letter warning system;
- work with the Student support team to refer if absence is unauthorised of 90% or more over a six week period or is historical;
- work with the Student support team to ensure work is provided for excluded students and long-term absentees;
- look for patterns of absences and consider impact of curriculum upon attendance alongside other possible causes and
- work with the Assistant Principal (Inclusion), EWO, SENCO, and Student support team to work alongside the creation of individual packages and re- integration plans, where appropriate.

##### **4.2. Tutors, who will:**

- be a good role model for students;
- give attendance a high profile;
- praise students for arriving on time;
- take prompt action where students are late or absent without explanation, recording lateness and referring to Lead Tutor;
- keep an accurate register and
- inform the Lead tutor when absence is causing concern.

#### **4.3. Student support team member, who will:**

- oversee administration of the SIMS Register system;
- contact parents of any child whose absence is unexplained by phone by 11.00 am;
- keep parents informed of any unexplained absences before they become unauthorized;
- support the work of SLT, Lead tutor and Tutors by providing regular attendance information;
- liaise with Lead tutors to monitor accuracy of record keeping;
- keeping the Assistant Principal (Inclusion) informed of attendance issues through weekly reports;
- keep the Assistant Principal (Inclusion) informed of inaccurate marking of staff registers as part of an alert system for staff who may not be maintaining accurate recording of registers;
- work with the Assistant Principal (Inclusion), EWO, SENCO, and Student support team to create individual packages and re- integration plans, where appropriate and
- meet regularly with the College's EWO to seek advice and consultation.

#### **4.4. Class Teachers, who will:**

- praise students for their punctuality to lessons;
- maintain an accurate class register through the Lesson Monitor system and
- alert the Attendance team, if there are concerns over student absence.

#### **4.5. Parents, who will:**

- ensure that children leave for college on time every day;
- provide a written explanation for children's absences from college in the planner or by letter/email;
- endeavour not to take children out of college in term time;
- notify the college as soon as problems arise with child's attendance and
- if no letter has been sent in advance telephone the college on the first morning child is absent.

#### **4.6. Students, who will:**

- arrive by 8.25am for registration every morning at 8.30am. This will be before the "closing of registers." Unauthorised absences may be accumulated when students regularly fail to arrive to school before the "closing of registers" just after 8.30am;
- arrive 2.05pm for registration period 5;
- be punctual for lessons;
- make sure a note is sent from parents to explain absences;
- sign in at reception if they are late arriving for college;
- sign out at reception if they leaving college during any part of the college day other than 3.05pm and
- tell their Tutor or Lead tutor or a member of the Student support team if they are having any problems attending college.

## **5. The work of Education Welfare Officer (EWO)**

The school and EWO always endeavour to work with students and parents at an early stage to resolve problems. This is nearly always successful. However, the EWO also has a legal role and if other ways of resolving attendance have failed, these officers can use legal sanctions such as Penalty Notices or prosecutions in the Magistrates court. If a penalty notice is not paid, Cambridgeshire County Council will implement legal action for non-payment of the fine.

### **The Role of the Educational Welfare Officer at Linton Village College**

The college buys half a day per week of an Educational Welfare Officer's time. The attendance team meet with the EWO to discuss and review all cases that are under the 96% threshold. The purpose of these meetings is to:

- request involvement of EWO who will support the College, parents, carers and students through the process required to improve attendance or to avoid legal action.
- determine that, procedurally, all reasons for authorized absences are legitimate and the school processes are robust;
- receive advice and guidance where the school feels unable to authorize absences and the presenting total absences are giving cause for concern;
- arrange meetings, if applicable, when the EWO can be present, to support the school in its work in raising attendance levels. This may include supporting the school in organizing parental contracts and
- request formal involvement in PACE meetings, and in other cases such as Children Missing Education (CME), all forms of legal enforcement, including the issuing of penalty notices, schools attendance orders and education supervision orders.

## **6. Sanctions for Poor Attendance and Punctuality**

The College reserves the right to use any of the following sanctions to fulfil its obligations with respect to school attendance:

- Faculty detention
- Afterschool detention for truancy or persistent lateness
- Report for attendance/punctuality
- Parent meetings
- Parent Contracts
- Penalty notices

Section 444(1) of the Education Act 1996 provides that a parent commits an offence if his or her compulsory school age child who is a registered pupil fails to attend school regularly. This can result in the school offering the parent the opportunity to enter into a parenting contract following a pupil's truancy or non-attendance under section 19 of the Anti-social Behaviour Act 2003.

Section 444(1) of the Education Act 1996 provides that a parent commits an offence if his or her compulsory school age child who is a registered pupil fails to attend school regularly. This can result in the school instigating a Penalty Notice under section 23 of the Anti-social Behaviour Act 2003 (instigated by the Principal and Deputy and Assistant Principals authorised by them, or so authorised by the Local Authority).

Amendments have also been made to the 2007 Regulations in the Education (Penalty Notices) (England) (Amendment) Regulations 2013. The amendments described below came into force on 1<sup>st</sup> September 2013.

Penalty notices (fines) may be issued to each parent who fails to ensure their children's regular attendance at school or fails to ensure that their excluded child is not in a public place during the first five days of exclusion. Parents must pay £60 within 21 days; or £120 within 28 days.

Parenting orders, Education Supervision Orders or Penalty Notices can also be issued.

Prosecution by the Education Welfare Service on behalf of the LA.

## **Appendix A: Procedure for reporting absence**

### **1. If a child is absent from college the following procedures are required to ensure the college is fully informed**

#### **1.1. First day absence**

- The Student Support team is notified by telephone: 01223 891233 ext 383 or an email is sent to a member of the Student Support team [studentsupport@lvc.org](mailto:studentsupport@lvc.org) Information is provided, including the reason for absence, student name and form group.
- On return to college, the parent **provides a note** with an explanation for absence, unless the reason has already been provided via college email.

#### **1.2. Third day absence**

- If the student is absent for three days, further contact with the team is required by the parent to provide details about the due date for a return to college by the student.

#### **1.3. Continued absence**

- In the case of longer term absence, Student support team is informed so that appropriate work or support can be provided.

#### **1.4. Ten days' absence**

- A student who is absent without an explanation for 10 consecutive days will be notified to the Local Authority, by submitting a referral to the EWO via a CME referral. This is a legal requirement.
- This should be treated as a 'Children Missing from Education' matter and a formal *request for education welfare intervention must be made within 10 days*.
- For students with a medical reason for absence details should be obtained from a qualified medical practitioner. Appropriate work and support should be offered, following Cambs County Council medical protocols.
- For safeguarding purposes, if there is social care involvement or child protection then the EWO and the linked social worker should be informed immediately. This could be via a direct referral to social care.

### **2. If a child needs to be absent during the college day the following procedures are required.**

- Parent to contact the college on 01223 891233 ext 383 or by email to inform of reason for absence during the day, e.g. dental appointment.
- The student must sign out before they leave the college premises and sign in on their return.

### **3. College action in the case of student absence**

- On the first day of absence, the Student support team will use telephone contact to confirm absence with the parent if contact has not already been made.
- A member of the Attendance team, possibly accompanied by the Education Welfare Officer or a Senior Colleague is likely to make a home visit in cases that are deemed 'at risk' of poor attendance.

- In the case of student attendance that is deemed 'at risk', the parent will be invited to school to discuss absence and actions for improving attendance.
- In the case of a student absence moving towards the 90% Persistent Absence (PA) level, the student may be referred to the EWO.

## **Appendix B: Punctuality**

**Poor punctuality is not acceptable at Linton Village College. If a child misses the start of the day, they can miss vital work and information. Lateness is also disruptive to lessons.**

### **1. The College day**

The college day starts with a registration at **8.30 am**. Students are expected to be in their tutor room by **8.25 am**. Any student who arrives after this time is registered as late and minutes late will be recorded.

Registers are closed as soon as they are called **8.30am**. A student who is late after this time will be marked late by their tutor, if after 8.45am students should sign in at Reception and marked at late.

Afternoon register starts at **2.05 pm**. Afternoon registers close at **2.10pm**.

If a student arrives late to college, for example due to a dental appointment, a note must accompany the child on their return which they will give to the Student support team, when they sign in. In this case the absence will be recorded as authorised.

### **2. Lesson monitor**

Every lesson is registered through the college internal system. Teachers are expected to ensure that the register is taken as promptly as possible. The reason for this is to track punctuality and in college truancy. It is essential that registers are recorded accurately, using the internal system. In the rare occasion that the register is not accessible on the system, a paper copy of the register should be used. In this case the teacher is expected to complete the register

If a student is late in arriving to lesson, the teacher will record lateness on the system to show the number of minutes late.

The Lead tutor has the overview of punctuality and will follow up lateness with individual students, who will be expected to make up the time lost. In cases of persistent lateness, Lead tutors will place student on monitoring report or in Afterschool detention.

## **Appendix C: Understanding types of absence**

**Every half-day absence from college has to be classified by the college, either as authorised or unauthorised absence.**

### **1. Authorised absences**

Authorised absences are approved by the SLT member designated on behalf of the Principal. An example of an authorised absence that may be approved would be a morning or afternoon away from school for a reason such as illness or medical/dental appointments that unavoidably fall within the school day, or a sporting commitment drama, dance or music examination or competition.

All absence requests must be made on the college Leave of Absence form and sent to Assistant Principal.

## **Unauthorised absences**

Unauthorised absences are those which the college does not consider reasonable and for which permission has not been given. This includes:

- parents keeping children off college unnecessarily
- truancy before or during the college day
- unexplained absence
- students who regularly arrive late, after registration has closed
- holidays/days off college
- students staying off college for invalid reasons such as shopping, caring for siblings, etc

This type of absence can lead to the Local Authority using sanctions and/or legal proceedings

### **3. Persistent Absenteeism (PA)**

A student becomes a 'persistent absentee' (PA) when they miss 10% or more schooling across the year for whatever reason. Absence at this level will cause considerable damage to a child's educational prospects. The college monitors all absence thoroughly. If a child's absence is deemed to be 'at risk' of PA, the parent will be informed of this by the Attendance team. PA students are tracked through the pastoral system, combined with academic monitoring. All PA cases are made known to the Educational Welfare Officer. All PA students are made subject to an action plan which is discussed between the student, parent, Pastoral Leader and EWO if appropriate.



## PENALTY NOTICES

### NON-SCHOOL ATTENDANCE CAMBRIDGESHIRE COUNTY COUNCIL LOCAL AUTHORITY CODE OF CONDUCT

#### Introduction

1. Under Section 23 of the Anti-Social Behaviour Act 2003 local education authority officers, headteachers and the police have the discretionary power to issue Penalty Notices to the parents of who children who truant.
2. The new power provides an alternative to prosecution of parents under Section 444 of the Education Act 1996 and enables parents to discharge potential liability for conviction for that offence by paying a penalty of £60 if paid within 21 days or £120 if paid within 28 days.
3. Should the Penalty Notice remain unpaid or have been paid only in part at the end of the 28 day period Cambridgeshire County Council must prosecute the parents for the offence to which the notice relates, or, in specified circumstances (see section 29 below), withdraw the notice.
4. Penalty Notices may only be issued in Cambridgeshire in accordance with the terms of this Code of Conduct. The purpose of the Code of Conduct is to ensure that the power is applied fairly and consistently across the County Council and that suitable arrangements are in place for the effective and efficient administration of the scheme.
5. In implementing this Code of Conduct the County Council will liaise when appropriate with neighbouring education and police authorities.
6. This Code of Conduct has been drafted in accordance with the Education (Penalty Notices) (England) Regulations 2004: Statutory Instrument 2004 No 181 and guidance issued by the Department for Education and Skills.
7. In preparing this Code of Conduct the County Council has consulted with Cambridgeshire headteachers and the Chief Officer of Cambridgeshire Constabulary.

#### 1B Circumstances in which Penalty Notices may be issued

8. A Penalty Notice may be issued in cases of non-school attendance. Such a notice is intended to offer a rapid intervention, which may be used to address non-school attendance before it becomes entrenched.
9. Penalty Notices may only be issued in relation to absence from school, which is unauthorised. The County Council's recommended criteria for authorising/not authorising absence can be found in the Local Authority School Attendance Policy. (All Cambridgeshire schools are encouraged to adhere to the criteria detailed within this policy.)

10. Penalty Notices may only be issued in relation to a child whose attendance at school has been below 85% over the previous 4-week period.
11. The key consideration in deciding whether to issue a Penalty Notice should be whether it is considered likely to be effective in helping the child to whom it relates to return to regular attendance.
12. Before issuing a Penalty Notice due consideration should be given to other strategies which may help return the child concerned to regular school attendance. Such strategies might include:
  - a) writing to the child's parents to remind them of their legal responsibilities;
  - b) meeting with the child's parents;
  - c) ensuring a first-day response to any absence;
  - d) setting targets for improvement;
  - e) referral to the Education Welfare Officer;
  - f) involvement of other services/agencies.
13. The usual response to a first offence would be to warn the parent rather than to issue a Penalty Notice. Authorised officers do, however, have the discretion, in exceptional circumstances, to issue a Penalty Notice for a first offence. Such exceptional circumstances could be where the unauthorised absence had been for an extended period of time and condoned by the parent.
14. Headteachers and police officers should only issue a Penalty Notice following consultation, discussion, reflection and joint decision with a County Council Education Welfare Officer.
15. The Education Welfare Officer will not agree to sanction the issuing of a Penalty Notice unless he/she considers that with regard to the offence to which it relates there is sufficient evidence to secure a conviction under Section 444 of the Education Act 1996. Evidence could be letters sent to parent, minutes of meetings and record of telephone conversations.
16. A maximum of three Penalty Notices may be served on any one parent over a 12- month period.
17. There is no statutory right of appeal against the issuing of a Penalty Notice. A parent should therefore, if possible, be given warning of the possibility of a notice being issued in order to allow him/her to make representations should he/she wish to do so.

### **Authority to Issue a Penalty Notice**

18. An Education Welfare Officer may issue a Penalty Notice to the parent of a child who is a registered pupil at a school in Cambridgeshire or who is a registered pupil at a school in an authority, which has an agreement to that effect with Cambridgeshire County Council.
19. A headteacher or an authorised deputy or assistant headteacher may issue a Penalty Notice to the parent of a child who is registered at his/her school, in consultation with a CCC Legal Panel.
20. A police officer, including a community support officer or other accredited person, may issue a Penalty Notice.

21. Headteachers and police officers should comply with the terms of this Code of Conduct when issuing a Penalty Notice and should provide a copy of any notice issued to the relevant Education Welfare Officer.

### **Form and Content of Penalty Notices**

22. A Penalty Notice should give the following particulars alleged to constitute the offence to which the notice relates and should contain:
- a) the name and address of the person to whom the notice is issued;
  - b) the name and address of the child who is failing to attend school regularly and the name of the school at which he/she is a registered pupil;
  - c) the name, title and official details of the authorised person issuing the notice;
  - d) the date of the offence and of the issue of the notice;
  - e) the amount of the penalty which is to be paid and details of the timescales and any variation involved;
  - f) the address of the County Council office at which the penalty is to be paid and to which any correspondence relating to the notice may be sent;
  - g) the method/methods by which payment may be made;
  - h) the specified period within which the penalty should be paid;
  - i) a statement that full payment within the specified period will discharge any liability for the offence;
  - j) an explanation of the consequences should the penalty not be paid in full before the expiry of the specified period;
  - k) an explanation of the grounds on which the notice may be withdrawn.
23. Should there be more than one person liable for the offence a separate notice should be issued to each person.
24. Should the offence involve more than one child a separate notice should be issued for each child.

### **Service of Penalty Notices**

25. A Penalty Notice may be served by:
- a) giving it to the recipient; or
  - b) leaving it at the recipient's usual or last-known address; or c) sending it to the recipient at that address by first-class post.
26. Service by post is deemed to have been effected, unless the contrary is proved, on the second working day after posting the notice by first-class post.

### **Failure to Pay a Penalty Notice**

27. Should the recipient of a Penalty Notice fail to pay the full amount before the expiry of the period for paying it the County Council will either begin proceedings against the parent under Section 444 of the Education Act 1996 or withdraw the notice in accordance with specified conditions (see section 29 below).

28. A certificate signed by the Attendance & Behaviour Manager to the effect that the recipient of a Penalty Notice has or has not paid the amount due on or before the date specified should be retained and presented as evidence in any subsequent Section 444 Education Act 1996 proceedings.

### **Withdrawal of a Penalty Notice**

29. A Penalty Notice may be withdrawn by the County Council, regardless of whom within the authority issued it, if it is deemed that:
- a) the notice ought not to have been issued (i.e. where it has issued outside of the terms of this Code of Conduct or where no offence has been committed); or
  - b) the notice ought not to have been issued to the person named as the recipient.
30. Should a Penalty Notice be withdrawn:
- a) notice of the withdrawal should be given to the recipient;
  - b) any amount already paid by the recipient should be reimbursed;
  - c) any proceedings under Section 444 of the Education Act 1996 instituted against the recipient should be discontinued.

### **Retention of Receipts and Revenue Collection**

31. The County Council will retain all revenue from the issuing of Penalty Notices in order to cover the costs of issuing and enforcing notices and the cost of prosecuting those recipients of the notices who fail to pay.
32. The County Council will produce an annual audit statement as part of its usual audit procedures in order to show that income received from Penalty Notices does not exceed enforcement costs as defined above. Any surplus acquired will be surrendered to a consolidated fund.

# PENALTY NOTICE

## SECTION 444A

### EDUCATION ACT 1996

Please read the notes overleaf.

#### PART 1

If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school, his/her parent is guilty of an offence under Section 444 of the Education Act 1996.

To: (Title) .....

(Forenames) .....

(Surname) .....

Date of birth (if known): ..... Of:

(Address) .....

.....

(Postcode).....

You are a parent of (name and address of pupil) (called in this notice "the pupil") who is a registered pupil at (name of school).

Between (date) and (date) the pupil failed to attend regularly at the school.

This notice gives you the opportunity to pay a penalty fine instead of being prosecuted for the offence given above. The amount of the penalty is £60/£120 in accordance with the table overleaf. If you pay this penalty within the time limits set out below, no further action will be taken against you in connection with the offence as set out in this notice.

Payment should be made within 21 days. If paid after 21 days but within 28 days the penalty is doubled to £120. Payment should be made to an Education Welfare Officer at one of the following addresses:

*(Insert address at which payment should be made)*

Payment may be made by post or in person. (Offices are open from 9 a.m. to 5 p.m. Monday to Thursday and from 9 a.m. to 4 p.m. on Friday). Cheques should be made payable to Cambridgeshire County Council. Should you wish to make payment in person, you are required to telephone the appropriate office in order to make a mutually convenient appointment.

Late or part payments will not be accepted and no reminders will be sent. If payment is not received by (insert date 28 days from date of issue), you may be prosecuted for the offence and could be subject to a fine of up to £2,500 and/or up to 3 months in prison.

This notice is issued by: (name) .....

(title) .....

Organisation: .....

Date: .....

## PART 2

Please complete the following and return this notice to one of the addresses overleaf.

Name: .....

Address:.....

.....

I attach payment in the sum of: .....

Signed:.....Date:.....

Received the sum of £..... in relation to a Penalty Notice issued on ..... in respect of ..... (name of child)

Dated.....

Signed.....

Name..... (Please print)

Title.....

(A copy of this receipt should be sent to all parties subject to the Notice and a copy retained on file)

## Notes

### 1. Contact Details

If you have any queries about this notice please contact the relevant Education Welfare Officer at one of the addresses shown in Part 1 of the Notice.

## 2. Amount of penalty

The amount of the penalty is as follows:

When paid **within 21 days £60**

When paid **within 28 days £120**

## 3. Code of Conduct

This notice is issued in accordance with a Code of Conduct drawn up by the Local Authority. Any enquiries regarding this Code of Conduct should be addressed to the relevant Education Welfare Officer at one of the addresses overleaf.

## 4. Withdrawal

This notice may be withdrawn should it be shown that it should not have been issued to you or has not been issued to you in accordance with the Code of Conduct. Should you believe that the notice was wrongly issued you should contact the relevant Education Welfare Officer as soon as possible (no later than within 10 days of the notice having been issued), stating why you believe the notice to have been incorrectly issued. Your query will be considered and you will be contacted to notify you whether the notice is to be withdrawn. Should it be decided not to withdraw the notice and you fail to pay the sum specified you will be liable to prosecution for the offence that your child has failed to attend school regularly.

## 5. Payment

You should complete the notice above (**Part 2**) and send or deliver it to one of the addresses given. Please telephone the appropriate office to make an appointment should you wish to make payment in person.

## 6. Prosecution

Should you not pay the penalty notice and should the notice not be withdrawn you will be prosecuted for the offence of failing to ensure your child's regular attendance at school. You will receive a separate summons for this which will give you notice of the time and date of the court hearing. You will be given the opportunity to defend yourself and you are advised to seek legal representation; in some circumstances you may be entitled to legal aid.

## Appendix 1

Suggested letter, which schools may wish to consider using to notify parents of the new discretionary power given to headteachers to serve Penalty Notices in relation to non- school attendance.

Dear Parent

### **Penalty Notices in Relation to Non-School Attendance**

You may be aware that legislation has given headteachers (as well as police officers and Education Welfare Officers) the power to serve Penalty Notices on parents who permit their children to truant or who take their children out of school without the school's prior authorisation. I of course do appreciate the fact that the vast majority of our parents fully support their children's regular attendance at school but I am writing in order to ensure that this discretionary power is properly explained to all parents so that any unnecessary misunderstandings can be avoided.

A Penalty Notice involves a fine of £60 if paid within 21 days, rising to £120 if paid within 28 days. Should a parent on whom a notice is served fail to pay the full amount of the fine within the specified time he /she will be liable to prosecution in a Magistrates court where on conviction a sentence of a fine of up to £2,500 or up to three months in prison may be imposed. Penalty Notices may only be served in accordance with the terms of the County Council's local Code of Conduct, a copy of which is retained by the school.

In making any future decision as to whether it is appropriate for the school to utilise this discretionary power I will consult with the Education Welfare Officer and will consider the seriousness of an individual child's non-attendance and the response of his/her parent.

I would like to reiterate my appreciation of the efforts of the vast majority of our parents who successfully ensure their children's regular attendance.

Yours sincerely

Headteacher



# Example of college letters

## Letter 1

«date\_of\_printing»

«address\_block»

Dear «salutation»

I am writing to you regarding our concerns about «forename»'s poor school attendance. Regular attendance is a key factor in securing progress at school. «forename»'s attendance is currently recorded at «percentage\_attendance»%, well below what we would expect. Whilst we appreciate that absence may be due to genuine reasons of ill health, unless we are informed of the reasons for the absence they will be marked as "unauthorised". We may also request to see confirmation of diagnosis from a G.P.

I enclose a copy of our attendance record; you will see the number of individual days absent "I" representing authorised illness and "O" representing "unauthorised, which in total amount to «total\_authorised\_absences» authorised sessions and «total\_unauthorised\_absences» unauthorised sessions.

I'm sure, like me, you are concerned that this pattern should not continue and so we will be monitoring «forename»'s attendance during the term very closely. Should this pattern continue we would be likely to unauthorise all absences which may trigger a call and a visit from the Manager of the Student Support Team.

If you wish to discuss this with a member of staff please contact «forename»'s Tutor «tutor» or «his\_her» Lead Tutor **NEED TO FILL THIS IN** or indeed myself.

Yours sincerely

**NEED TO PUT NAME HERE**

«house» Faculty

Linton Village College

01223 891233 ext 385

## LETTER 2

«date\_of\_printing»

«address\_block»

Dear «salutation»

Following our last letter regarding «forename»'s attendance, I can see that unfortunately, there has been little or no improvement.

«forename»'s attendance is currently «percentage\_attendance». This is a critical situation. I am writing to inform you that unless there is a significant and continued improvement in «forename»'s attendance, it is our intention to seek the advice of our Educational Welfare Officer whom we will request chair a Pre-Court Meeting to discuss this matter with yourself and «forename».

For your information, a 90% attendance rate means that, on average, a child is missing one day of schooling per fortnight. An 80% attendance rate makes that a shocking full day on average is lost *per week*. This is a fifth of a child's education and is equivalent of a whole year lost if this poor attendance carries on throughout secondary school. We are not going to allow children to miss out like this.

In the remaining weeks of this school year, we would expect to see your child at school every single day. Getting your child to school is a legal parental responsibility.

I would respectfully request that you contact the Student Support Team on 01223 891233 ext 338 in order to arrange a meeting to discuss this situation with a view to agreeing with us a plan to support «forename»'s attendance. This may help us avoid the need to request a Pre-Court Meeting.

Yours sincerely

Ian Farr  
Manager, Student Support Team  
01223 891233 ext 335

# Briefing - appropriate use of Penalty Notices

Cambridgeshire County Council

## Background

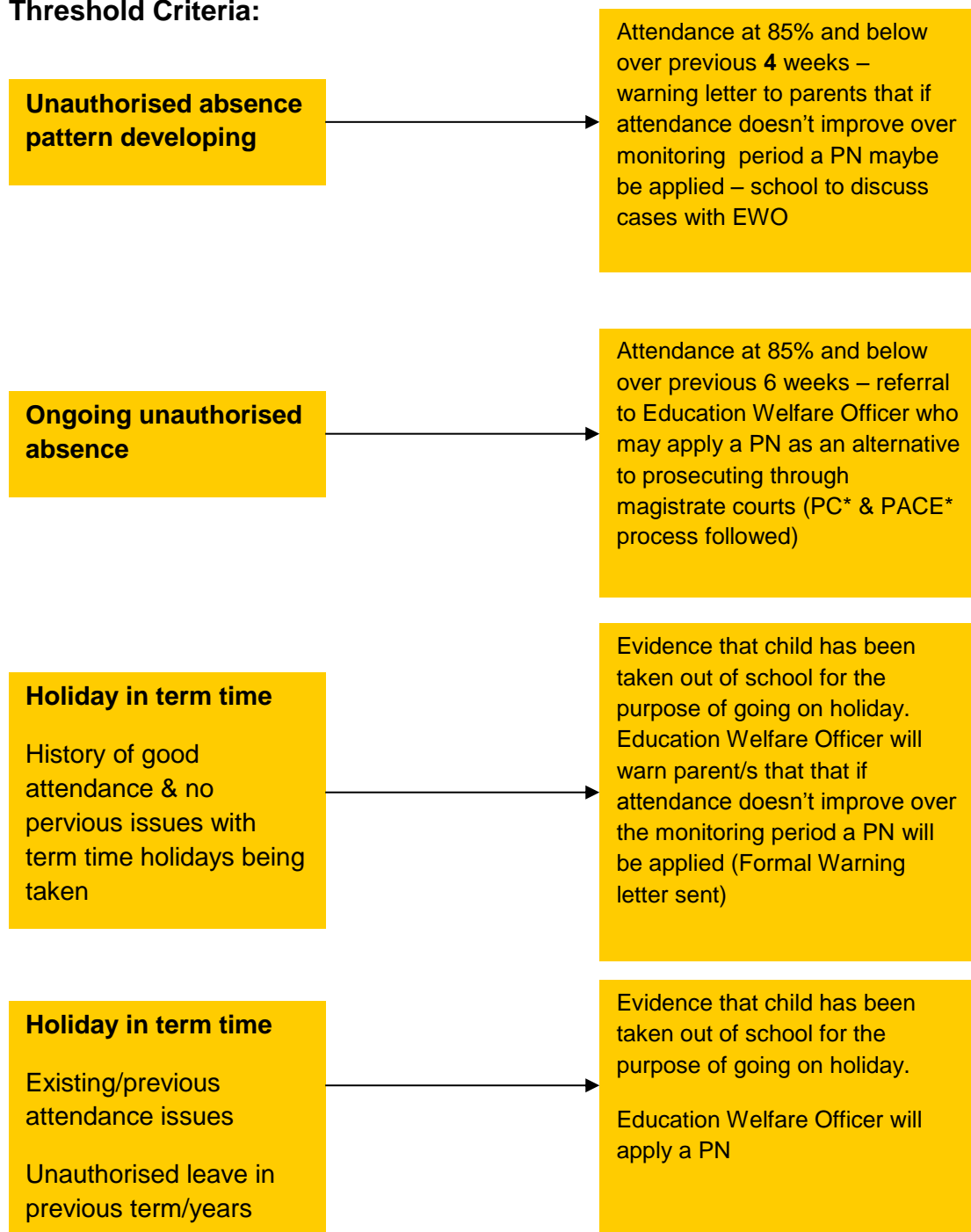
This paper should be read in conjunction with the Penalty Notice Code of Conduct.

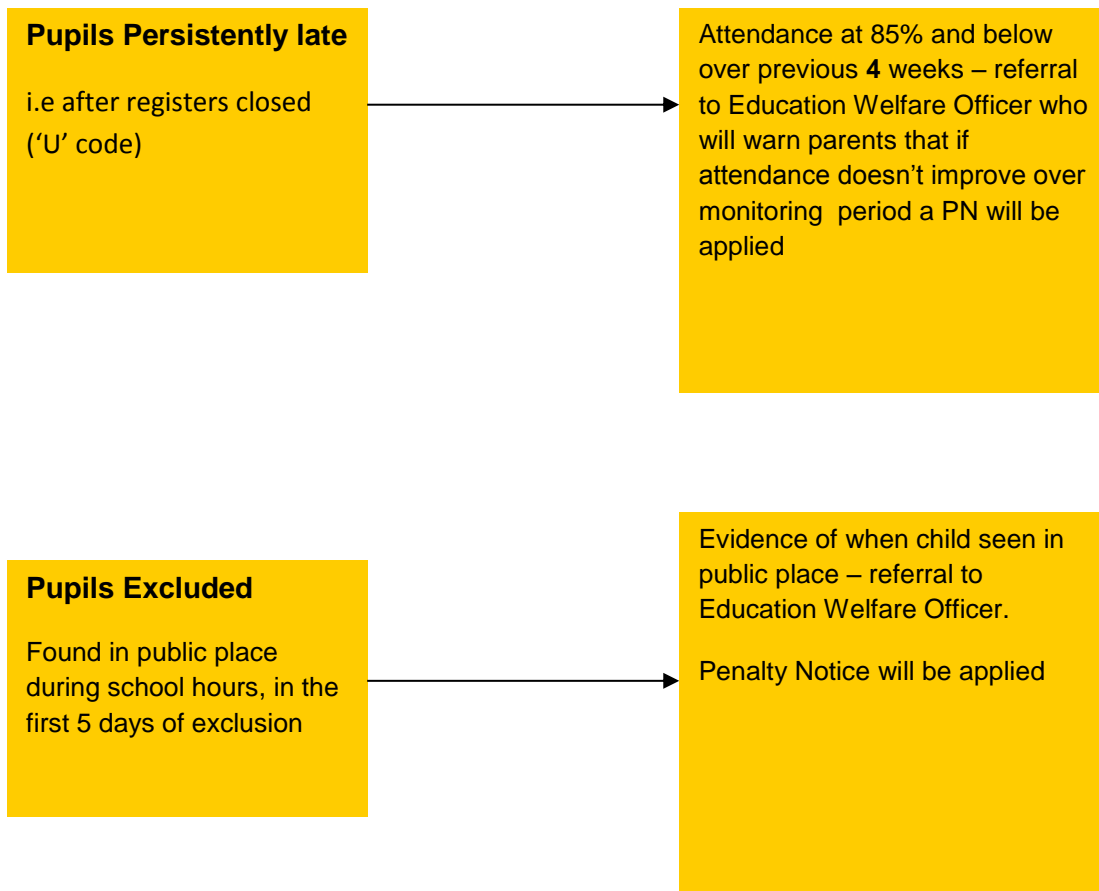
## Introduction

The use of sanctions is a critical part of the toolkit available to every Education Welfare Officer and should be utilised alongside other strategies. The decision to apply a Penalty Notice must be based on clear threshold criteria, **further information can be obtained from your Education Welfare Officer who will offer advice and guidance.**

It's a requirement for schools to have developed a bespoke Attendance Policy that highlights the use of Penalty Notices.

## Threshold Criteria:





### \* Parenting Contracts

Parenting Contracts for irregular school attendance have been developed in response to the provisions of Section 19 Anti-Social Behaviour Act 2003. Parenting Contracts are in line with the philosophy behind the Children Act 1989 which emphasises that Local Authorities must make every attempt to work in partnership with parents to avoid instituting Court action wherever possible. Parenting Contracts are intended to:

- Improve the pupil’s attendance to an acceptable level by identifying obstacles and agreeing a plan to overcome them
- Agree details of how to achieve change through determined actions
- 

Following the Parenting Contract meeting should these objectives not be met, a PACE Interview under caution will be held to help provide a formal process whereby consideration can be given to the institution of action either under the Children Act 1989 or the Education Act 1996.

### \*\* The PACE interview

Should a student's attendance fail to improve, in spite of help from the school and an EWO, parents will be invited to a formal PACE interview held under Caution. Before a meeting begins parents will be formally cautioned under the Police and Criminal Evidence Act 1984.(PACE)

## ABSENCE REQUEST FORM (exceptional circumstances only)

**To: Mrs S Matarazzo (Assistant Principal) – LINTON VILLAGE COLLEGE**

I wish to apply to have an absence authorised for:

Child's name ..... Form/Tutor Group .....

Child's name ..... Form/ Tutor Group .....

Date from ..... date to .....(inclusive)

Name of Parent(s)/Carer(s): .....

Address: .....

**Please fully explain the exceptional circumstances (please see back of form for advice/guidance) that you would like the College to consider for this request. This section *must* be completed (please continue on a separate sheet if needed).**

Signature of **Both** Parent(s)/Carer(s) (*even if separated and therefore live at different addresses*)

Parent/Carer 1.....

Parent/Carer 2.....

Office use only			<input type="checkbox"/> Absence authorised      Code <input type="checkbox"/> Absence unauthorised
Date form received	No of school days absence requested	% Attendance	
			Signed _____ Assistant Principal

*I understand that Leave of Absence will only be granted in **exceptional** circumstances. Should this not be granted and I take my child/children out of College, I am aware that I may be liable for a Warning or Penalty Notice*

Parent/Carer 1.....

Parent/Carer 2.....

✂.....

**This portion to be returned to Parents/Carers**

Please note that even if this absence request is authorised you may still receive letters of concern from either the College or Local Authority if your child's attendance drops below a level that the school deems acceptable,

Student/s name/s .....

Year/Tutor Group.....

Absence authorised      from .....to ..... (Inclusive)

Absence unauthorised      current attendance ..... % as of ...../...../20.....

Signed .....(Shahla Matarazzo, Assistant Principal) Date.....

**NOTES TO PARENTS/CARERS**

The law does not grant parents/carers an automatic right to take their children out of school during term time. If the request is for an absence in term time you must have parental responsibility and be the parent/carer with whom the child normally lives. Please note that a signature from both parents/carers is required for the college to grant an authorized absence.

**AVOIDABLE ABSENCE IN TERM-TIME**

**IMPORTANT: Please read carefully the information below.**

Permission **must** be sought in **advance**. If the circumstances relating to this request are considered exceptional and the absence is authorised by the College, the authorising of the absences will be conditional on the child(ren) attending satisfactory up to the date covered by this request. **Most absence will be unauthorised; a fixed penalty for absence may be issued.**

**WARNING: If you allow your child to miss College in term time for an avoidable reason without obtaining the prior approval of the College, you may be issued with a Penalty Notice\* per parent per child, or made the subject of court proceedings that could result in a fine of up to £2,500 and/or a term of imprisonment of up to 3 months.**

**As a parent/carer, you can demonstrate your commitment to your child’s education by not allowing your child to miss school for anything other than an exceptional and unavoidable reason.**

THE FACTS	THE LAW
<p>School aged pupils in Cambridgeshire are expected to attend punctually on the 190 days that the school is open. Whilst there are a number of unavoidable reasons why a pupil might be away from school (illness, medical appointments, exclusions etc), the legislation is clear that any avoidable absence may only be authorised by a school if there are exceptional circumstances.</p> <p><b>WHAT YOU SHOULD CONSIDER</b>                      Research suggests that children who are taken out of school may never catch up on the learning they have missed. This may affect test results and can be particularly harmful if the child is studying for final year examinations.</p> <p>Children who struggle with English or Mathematics may also find it even harder to cope when they return to school, while younger children may find it difficult to renew friendships with their classmates.</p> <p>If the school is unable to authorise the absence and the child is still taken out of school, this will be recorded as <b>unauthorised absence</b> and <u>you may receive a £60* fine per parent for each child.</u></p>	<p>The law allows schools to consider individual requests to authorise a future avoidable absence. However before the school can authorise any such requests, they must satisfy themselves that there are exceptional circumstances which justify such a decision. It is entirely the responsibility of the parent submitting the request to provide sufficient information/evidence in order to establish this fact. The request for leave must come from a parent with whom the child normally resides</p> <p>If a child then stays away from school for more than the authorised period this must be recorded as unauthorised absence and could be quoted in a prosecution for poor attendance.</p> <p>If the child is away from school for a total of 10 school days without explanation, the school will refer to the Local Authority and report the absence as a child missing in education. The school may be advised to remove a child from roll following extended absence, subject to advice from the EWO. If a child is removed from roll, there is no guarantee that the child will regain a place at the school.</p>

<p><b>Unavoidable absence from school will be authorised if it is for the following reasons:</b></p> <ul style="list-style-type: none"> <li>▪ Genuine illness</li> <li>▪ Unavoidable medical / dental appointments (but try to make these after school if at all possible)</li> <li>▪ Days of religious observance</li> <li>▪ Seeing a parent who is on leave from the armed forces</li> <li>▪ External examinations</li> <li>▪ When Traveller children go on the road with their parents</li> </ul>	<p><b>Other examples of absence from school that <u>will not</u> be authorised:</b></p> <ul style="list-style-type: none"> <li>▪ Any type of shopping</li> <li>▪ Looking after siblings or unwell parents</li> <li>▪ Minding the house</li> <li>▪ Birthdays</li> <li>▪ Resting after a late night</li> <li>▪ Relatives visiting or visiting relatives</li> <li>▪ Holidays</li> </ul>
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**The law requires parents to ensure their children receive an efficient full time education, and every minute of every day is important. Please help them not to miss any of this valuable time.**

We hope that when you have read this information you will consider that your child’s education is too important to allow them to miss school for avoidable reasons.

