



**LOSTOCK HALL COMMUNITY PRIMARY SCHOOL**

**WHOLE SCHOOL ATTENDANCE POLICY**

**Agreed by Governing Board on 22<sup>nd</sup> March 2023**

**Policy will be reviewed Annually: September 25 – September 26**

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## 1) Rationale

At Lostock Hall Community Primary School we recognise that attending school regularly has a positive impact on learning, progress and therefore the best life chances for children. We will encourage good attendance for all children, by offering an environment in which children feel valued and part of the school community.

Government research shows a direct link between attendance and attainment and good attenders also make better progress socially, learn to work with others, and are better prepared for the transition to secondary school and, eventually, higher education, training and employment.

Our attendance target this year is 96%, but all children should strive to achieve 100% attendance if they can.

### Aims

We will

- Promote a culture across the school which identifies the importance of regular and punctual attendance.
- Make attendance and punctuality a priority for all those associated with the school; including children, parents, teachers and governors.
- Further develop positive and consistent communication between home and school.
- Set targets to improve individual and whole school attendance levels.

## 2) Rights, Roles and Responsibilities

Lostock Hall Community Primary School believes that it is important that parents and carers, children, school staff and governors all work in partnership to encourage good attendance for all children. The following is a summary of the rights, roles and responsibilities for individual groups of stakeholders.

### 2.1 Families

- Parents and carers have a legal duty to ensure the child(ren) in their care attend school regularly and punctually
- Parents must also ensure that school has up-to-date contact information for themselves and emergency contacts
- Parents and children should know the times the school day starts and finishes and when the register closes (see section 4, below); the processes for requesting leave (see section 3.4, below); and the process for informing school of the reason for unexpected absence (as follows)
- If the child(ren) is/are absent to inform the school office as soon as possible and at the latest by 9.15 am on the first day of absence by calling school on 01772 338289 and provide a reason for the absence
- If the child(ren) is/are absent for more than 1 day, to inform the school office of the continued absence and update as to the reason for the absence regularly
- To avoid leave in term time wherever possible. Where this is not thought possible, contact the school as soon as possible prior to the first proposed day of absence to request authorisation
- To advise the school, by contacting the school office, immediately if they become aware of problems with attendance
- To co-operate with the school in promoting and improving attendance e.g. attending meetings, participation in parenting contracts and supporting the school in agreed intervention/action plans
- Adhere to systems for late registration, signing out and signing in

### 2.2 Children

- Attend school regularly and punctually
- Adhere to systems for late registration, signing out and signing in
- Acknowledge behaviour needed out of school to ensure good attendance e.g. early bedtimes and getting uniforms ready the night before

## 2.3 School

### Headteacher

- Lead on giving attendance a high profile.
- Ensure there are designated staff with day-to-day responsibility for attendance matters and protected time allocated to discharge those responsibilities. Staff responsibilities will be contained in the staff handbook
- Take overall responsibility for ensuring the school conforms to statutory requirements regarding attendance.
- Consider each request for leave against the school's criteria, decide whether some, all, or none of the leave will be authorised and notify parents of this decision.
- Where there is uncertainty regarding an absence, make the decision whether or not to authorise an absence, or to request further evidence to support the decision-making process.
- Provide regular reports to the governing body on school attendance, including persistent absence and vulnerable groups.
- The attendance policy will be placed on the school website
- Details of the policy and the procedure for requesting absence in term time, and signing in and out of school will be disseminated as part of the new parent induction process e.g. induction package, talks to new parents
- Summary of responsibilities under the attendance policy will be contained in the home/school agreement

### Attendance lead and other staff with designated responsibilities for attendance

- First day response: contact parents if a reason for absence has not been provided and record this information accordingly. Contact emergency contacts if parents cannot be reached.
- Update attendance registers.
- Regularly monitor and analyse data to identify children, class and whole school attendance concerns and to target attendance improvement support for those who need it most, particularly vulnerable groups.
- Regularly communicate children's attendance and punctuality levels to parents.
- Work with children and parents to remove barriers to regular and punctual attendance, using parenting contracts where appropriate.
- Involve external agencies to support children and parents as appropriate to better understand and address the issues causing attendance concerns.
- Promote regular attendance through the school newsletter, website and displays and ensure the school's attendance policy is readily accessible.
- Use projects and strategies to improve attendance and punctuality for groups, classes or the whole school (eg incentive and reward schemes, certificates, traffic light letters).

### All school staff

- Provide a welcoming atmosphere for children and a safe learning environment.
- Be aware of factors that can contribute to poor attendance and punctuality.
- Adhere to the procedures in place within school to promote good attendance.
- Promote the link between attendance and educational attainment to children and parents.
- Complete attendance registers in accordance with the legislation and under the direction of the head teacher.
- Discuss attendance concerns at an early stage with children and parents.
- Raise any concerns about attendance with the attendance lead and/or Headteacher.

## **Governors**

- Ensure compliance with The Education (Children Registration) (England) Regulations 2006, as amended
- Adopt an attendance policy and review it annually
- Agree targets for attendance at Lostock Hall Community Primary School
- Ensure that they receive reports from the Headteacher regarding school attendance as part of the school monitoring or school profiling exercise
- Where the school is not meeting its attendance target, or when the governors believe there is cause for concern, to require a review of the systems and procedures in place to promote good attendance
- To promote the strong link between attendance and educational attainment to parents and children where appropriate and ensure that the school attendance policy and procedures are communicated effectively
- Authorise the head teacher (or other designated person) to consider and make decisions regarding leave of absence requests
- Work with the Headteacher in establishing criteria against which leave requests will be considered. This is important to ensure the process is equitable and consistent

Schools are bound by a range of attendance legislation and guidance; please see the appendix for further details.

## **School attendance contacts**

- School Office: Contact for parents to notify school of a child's absence.
- Mrs L Webb: Senior leader responsible for the strategic approach to attendance in school.
- Miss A Jones: Attendance lead to contact for day to day enquiries about attendance or support for specific and more serious attendance concerns.

The staff named above can be contacted on 01772 338 289

## **2.3 Lancashire County Council (the local authority)**

### **School Attendance Support Team (SAST)**

Each school has a named contact in the School Attendance Support Team who can advise schools on attendance related matters, and with whom Targeting Support Meetings will be held. For mainstream nursery, primary and secondary schools this will be a School Attendance Support Worker.

### **School Attendance Legal Team (SALT)**

Following requests from schools for legal interventions in the event of failure to attend school regularly, SALT undertakes enforcement processes, including penalty notices, prosecutions, parenting orders, education supervision orders and school attendance orders.

### **Children Missing Education (CME) Team**

The CME team ensures the local authority fulfils its statutory duty to identify children in their area who are not registered children at a school and are not receiving suitable education otherwise than at a school. For further information see section 7, below, regarding notifications schools must submit.

### **3) Types of absence**

Every half-day absence from school is classified by the school as either authorised or unauthorised. This is why information about the cause of any absence is always required from parents/carers. As a school, we will always work with parents (and other agencies, as appropriate) to understand the reasons underlying absence.

#### **3.1 Authorised absences**

Authorised absences are mornings or afternoons away from school for a good reason.

Examples of authorised absence:

- Medical or dental appointments, which relate directly to the children and unavoidably fall during the school day
- Illness of the children
- Unavoidable causes or exceptional circumstances

#### **3.2 Unauthorised absences**

Unauthorised absences are those which the school does not consider reasonable. If school has followed its attendance procedures and a child continues to have unauthorised absences, the school may see seek advice from the local authority School Attendance Support Team or request legal interventions from the School Attendance Legal Team. Examples of unauthorised absences are:

- Parents/carers keeping children off school unnecessarily
- Truancy before or during the school day
- Absences which are not explained satisfactory
- Children who arrive at school after the register has closed
- Days off for shopping, looking after other children or birthdays
- Day trips and other leave in term time which have not been agreed by the Headteacher
- Days that exceed the amount of leave agreed by the Headteacher

Whilst any child may be off school because they are ill, sometimes they can be reluctant to attend school for other reasons. If your child is reluctant to attend school, it is better to speak to school as soon as possible to resolve the issue, rather than trying to cover up their absence, or give in to pressure to let them stay at home. As a school, we will always work with parents (and external agencies as appropriate) to understand and address the reasons behind absence.

In every instance, it is the Headteacher who determines whether an absence is recorded as authorised or unauthorised. This decision is made based on information provided by parents/carers. However, because the register is a legal document, the Headteacher has responsibility to ensure that it is completed accurately and in accordance with the legislation. For this reason, it is not sufficient for an absence to be recorded as authorised based entirely on information provided by parents/carers. Therefore, there may be occasions when it will be necessary for parents/ carers to provide evidence of reasons for absence before authorisation is granted. For example, in the case of absence due to illness or medical appointment, evidence may be requested in the form of: sight of a prescription, prescribed medication, a medical appointment card or similar. Parents should not ask their doctor (GP) to provide "sick notes" to excuse absence.

#### **3.3 Systems for monitoring attendance and punctuality for individual children**

The school office is responsible for maintaining records of reason and length of absence.

- Parents/ carers are required to contact the school office or class teacher on the first day of absence, advising of the reason for the absence and expected return date; if known
- Where information is provided to the class teacher they are responsible for passing this information to the school office
- Where a verbal message is taken by school office staff this should be noted in the register and the class teacher informed
- Where a written note is received by the class teacher this should be returned to the school office with the register

- Where the absence is for several days, the parent/carer is responsible for informing the school of the continued absence and updating them as to the reason for the absence on a regular basis
- Where the absence is for several days without explanation, or the reason provided is unsatisfactory, the absence will be recorded as unauthorised and will be addressed with parents promptly. Schools have a responsibility to report such absence to the local authority after a period of 10 school days, or sooner if appropriate
- The reason for absence should be linked directly to the child (e.g. illness or medical appointment of/for the child). Reasons for absence relating to parents or siblings may not be authorised

If a child is absent and no contact has been made by the family, the school office will contact the family on the first day of absence, as the registers close at 9.30am. If contact cannot be made the Headteacher should be informed and, in the case of prolonged or repeated absence without justification being given, the Headteacher will determine whether a referral to the Children Attendance Support Team (PAST) should be made.

The Headteacher is responsible for determining what is classed as authorised and what is classed as unauthorised absence. The school office is responsible for inputting the appropriate absence code on the electronic register. Where they are not certain whether an absence is authorised or not they should seek advice from the Headteacher.

Office staff may also use the comments facility within SIMs in order to log specific reasons for absence. This facility will allow school staff to monitor and manage developing patterns of absence more effectively and share such information with parents.

### 3.4 Persistent Absence (PA)

The minimum attendance level which is expected at our school is 96%. It is when attendance falls below this level that school will consider whether it is appropriate to offer support in order to improve the situation. Both local and central government pay particular attention to reducing the number of children who fall into the persistent absence category (PA).

Persistent absence is when a pupil misses 10% or more of their schooling across the school year for whatever reason, authorised and unauthorised (including illness, exclusion, holiday, etc). When attendance nears this level, 90%, children miss significant amounts of schooling; meaning that their educational progress is put at risk. We need parents' full support in ensuring that attendance does not reach this level. However, if for any reason a child's attendance does fall into this category parents will be asked to do all they can improve the situation.

Families will be supported in this via school's robust systems for managing PA. This support may involve the need for parents, and children of an appropriate age, to agree to a parenting contract. Due to the seriousness of PA status it is highly likely that such cases will be referred to the School Attendance Support Team (SAST). Furthermore, absence data for individual children who are classed as persistent absentees are reported to the Department for Education; along with whole school absence figures.

### 3.5 Leave during term time

Following the September 2013 amendment to The Education (Pupil Registration) (England) Regulations 2006, schools cannot authorise any leave other than in exceptional circumstances. At Lostock Hall Community School the Headteacher is the person authorised by the 'proprietor' i.e. the governing body, to make this decision. If leave is being requested that involves arranging travel or accommodation, approval must be obtained from the head teacher before making any bookings

Leave of absence in term time **WILL NOT** be granted unless:

- A request for leave has been made in advance, by a parent with whom the child normally resides, (using the form available on the school website and from the school office), **and**

The Headteacher considers that leave of absence should be granted due to the **EXCEPTIONAL CIRCUMSTANCES** relating to the request.

Children attend school for a maximum of 190 days each academic year. Regular attendance is vital for your child's educational progress. The local authority expects that all parents/carers ensure their child attends school whenever possible. Absence during school time is largely prohibited by regulation and hinders academic progress. Even in exceptional circumstances, the following factors may be taken into account when considering an application for leave:

- The timing of the requested leave, eg when a pupil is just starting at school or during assessment periods, such as SATs.
- A pupil's attendance record already includes unauthorised absence.
- Attendance is already a concern, or could become a concern, as a result of taking leave.
- Other periods of leave which the pupil may have had, either during the current or previous academic year.

If work commitments are stated as supporting evidence towards an exceptional reason for requesting leave, parents may be asked to provide employer details and any additional evidence which shows why leave cannot be taken during the school holidays

Parents/ carers who need to request leave during term time should complete an application form, available from the school office, as soon as possible prior to the first proposed date of absence. The Headteacher will consider the request and advise in writing within 5 days whether the absence will be authorised or not. The Head teacher may request a meeting with parents before any period of leave is authorised.

Any period of leave taken without the agreement of the school, or in excess of that agreed, will be classed as unauthorised and may attract legal sanctions such as a penalty notice.

### **3.6 Religious Absence**

The school will authorise one day of absence per religious festival, e.g. Eid, (i.e. the day set aside by the religious body of which the parent is a member) and this will be marked as 'R' in the register.

Parents/ carers must request any additional leave in advance and this can only be authorised if it is felt that exceptional circumstances apply (this would be marked in the register as 'C').

### **3.7 Participation in sporting events**

Parents/ carer's can request leave of absence for their child to take part in regional, national and international sporting events. However, as always, granting leave is at the Headteacher's discretion and will need to discuss with you the length and frequency of the absence(s) requested and how learning will continue if absence occurs, eg the sports club or association providing an approved education tutor.

Leave for a sporting activity that has been approved by the school and supervised by someone authorised by the school can be marked in the register as code P.

Permission for your child to leave early or arrive late in order to attend coaching and training sessions is also at the discretion of the Headteacher and is unlikely to be approved if it would occur regularly.

### **3.8 Participation in performances (eg theatre, television, modelling)**

Parents/ carer's of a child performer can request leave from school for their child to take part in a performance. A local authority licence must be obtained before a child can take part in a performance. Before a licence is granted, school will be consulted and Headteachers must be satisfied that the leave will not have a negative effect on the child's education.

Where the licence specifies the dates that the child is to be away from school, the Headteacher should authorise those days. However, where the licence does not specify dates, it is at the discretion of the Headteacher to authorise the leave request.

Any absence authorised for the child to take part in a performance will be recorded as code C.

Parents/ carers wishing to apply for a performance licence should go to the Lancashire County Council Child performance licences webpage.

## 4) Registration

### 4.1 Attendance Registration

- Morning Registration is between 08.50am and 8.55am
- Afternoon Registration is between 1.00pm and 1.05pm

The school day starts at 8.50am. Children are expected to be on the premises at that time and that is when the registration period starts (i.e. when the register is taken and remains open).

When the attendance register has been taken it remains open until 9:20am in the morning and 1.30pm in the afternoon.

School finishes at 3.20pm.

Each class teacher or their nominated representative is responsible for marking children present or absent in the register at morning and afternoon registration. The registers must be completed promptly to avoid discrepancies between classes. The class teacher must ensure that the marked register, plus any notes received regarding absence, is returned to the school office by 9.00am/1.10pm.

### 4.2 Late arrival

Children requiring admittance to school following registration periods must go to the main entrance and request entry via the school office. For health and safety reasons parents **MUST** accompany late arriving children into the building in order to sign their child into school using the Inventory electronic system.

For health and safety reasons, after 8.55am/1.05pm children **MUST** be signed in by their accompanying adult using the Inventory electronic system before they are admitted or released. The school office is responsible for ensuring that the parent/ carer signs their child in/out of the building using the Inventory electronic system.

In accordance with current guidance, the attendance registers are closed at 9.20am/1.30pm. This means that any child who arrives after the registration period (8.50 to 8.55am/1.00 to 1.05pm) but before the registers are closed (9.20am/1.30pm) will be given a late mark (L) in the register. This code is classed as a present mark, but displays that the child arrived late for school. Any child who arrives after the registers have closed (9.20am/1.30pm) but before the end of the session will be given a "late after registers closed" mark (U) in the register. This code is classed as an unauthorised absence but displays that the child was physically present in school for part of the session.

In addition to using the L and U codes, office staff may also use the facility within the SIMS attendance module to record the number of minutes late for each child, on each occasion. The Inventory electronic system will also be used to analyse attendance data. This facility will allow school staff to monitor and manage developing patterns of lateness more effectively and make a clear link between lateness and missed curriculum; and share such information with parents.

The fact that the U code is classed as an unauthorised absence means that when it is used children are likely to be missing significant amounts of schooling; putting their educational progress at risk. For this reason, the use of this code will be considered as serious as any other unauthorised absence and will attract the interest of external agencies, including referral to the local authority attendance team and consideration of the use of legal measures, in just the same way.

### 4.3 Punctuality

Poor punctuality is not acceptable. If your child misses the start of the day, they can miss work and do not spend time with their class teacher getting important news and information for the day. Children arriving late also disrupt lessons, which can be embarrassing for the child and can in turn, encourage absence. Being 10 minutes late every day throughout the academic year is the same as missing two weeks of school.

If your child is often late you will be asked to meet with the Headteacher and/or a member of the pastoral support team to discuss ways to improve punctuality, but you can approach us at any time if you are having problems getting your child to school on time.

Persistent lateness after the register has closed may result in further action

### 4.4 Signing Out

The school office is responsible for overseeing the procedure for releasing children where parents/carers have requested and been granted leave during the school day.

A child can only be released to a parent or authorised carer/family member. When an authorised adult is picking up a child within school time the school office is responsible for ensuring the parent signs their child in/out of the building using the Inventory electronic system. The school office is responsible for inputting the appropriate absence code on the electronic register.

When a child leaves the school site after the morning or afternoon register has been taken, the original mark must remain in the register. During an evacuation situation the school office is responsible for printing off an up-to-the-minute list of who is on-site directly from the InVentry evacuation management system, to ensure all children, staff and visitors can be accounted for.

### 4.5 Monitoring the attendance of children who are educated off site

When children are **dual registered**, their registration status will acknowledge this. For sessions when a dual registered child is expected to attend Lostock Hall Community Primary School the usual attendance procedures will be followed. When this child is expected to attend the other establishment, our registers will display the D code (Dual Registration). As the Main School we retain responsibility for dual registered children. Therefore, the other establishment will be contacted regularly in order to ensure that this placement continues to be successful. When this is not the case, appropriate action will be taken.

When children are **Present at an Approved Off-Site Educationally Activity** school will decide which of the following codes is most suitable:

Code B – Educated off site

Code P – Supervised sporting activity

Code V – Educational visit or trip

The Headteacher is responsible for the children's education and wellbeing during these sessions. Therefore, before any of these codes are used school must ensure that the following criteria are met:

- ✓ The activity is broadly educational in nature
- ✓ it is suitable for the children's age and ability
- ✓ it will complement the children's curriculum
- ✓ it is taking place during the session for which the approved off-site educational activity code is being used and
- ✓ suitable supervision arrangements are in place

## **5) School attendance procedures**

### **5.1 First day of absence**

If your child is absent and we have not heard from you, we will telephone you on the first day of absence to find out what the reason is and when your child is expected to return. If we are unable to contact you, we will approach your emergency contacts and, if necessary, make a home visit. Please note that such home visits may be unannounced.

### **5.2 Attendance concerns**

Parents are expected to contact school at an early stage and to work with us in resolving any attendance problems together; this is nearly always successful. However, if concerns persist, school will use the following procedures and interventions, as required, to support parents in improving their child's attendance and/or punctuality:

- Telephone calls and/or letters to make parents aware of school's concern about their child's attendance.
- Invitation to meetings to discuss concerns with our attendance lead and/or head teacher.
- Parenting contracts to identify barriers to regular attendance, ways to overcome these and agree targets for improvement.
- Incentive and reward schemes for individual children, if appropriate.
- The Early Help Assessment (EHA) process and/or referral to other agencies and services, including School Nurses and Primary Mental Health Workers, if appropriate.
- Request support from the local authority School Attendance Support Team
- For unauthorised absences, request legal interventions by the local authority, such as penalty notices, prosecution or other attendance-related court orders.

At any stage, we may seek advice from our School Attendance Consultant.

### **5.3 Children with medical needs who have difficulty attending school**

Government guidance on supporting children at school with medical conditions (see appendix) emphasises the role of governing bodies in ensuring that children with medical conditions are able to fully access education in the same way as other children. A key element of this responsibility is reducing the amount of time missed by these children, whether their condition is short or long term.

School will work with parents and other relevant professionals to minimise absence for reasons of ill health. This may be in the form of specific support or resources used within school or by sourcing appropriate provision at another establishment. When education is to be provided at an alternative location, this should always be done via the use of a direction (please see section 6, below).

When a child has been absent from school for an extended period, the head teacher, the class teacher and other support services will work with the family to ensure that a smooth reintegration is achieved.

### **5.4 Children refusing to attend school**

At Lostock Hall Community Primary School, we believe that every child has a right to a full-time education, and we would not accept "school refusal" as a reason for non-attendance. In such cases, we will work with parents to identify the reasons why a child may be reluctant to attend school. We may request support from the Pupil Attendance Support Team and, with consent, make referrals to external partners such as the Children and Family Wellbeing Service, Primary Mental Health Workers, etc, as appropriate to try to ensure the correct support is secured for the child and their family.

### **5.5 Reintegrating children who have had long term absence**

When a child has been absent from school for an extended period, the head teacher, the class teacher and other support services will liaise with the family to ensure that a smooth reintegration is achieved.

## 5.6 Promotion of good attendance

School will promote and incentivise attendance by acknowledging and rewarding good attendance by all children and efforts to improve attendance by individual children who have additional needs or challenging circumstances.

## 5.6 Use of Penalty Notices

In accordance with the current code of conduct, Lostock Hall Community Primary School may seek legal interventions if providing support to improve attendance is not appropriate (eg for an unauthorised holiday in term time), or has not been successful or engaged with. Parents also risk losing their child's school place if they do not return from leave, as agreed, and readmission cannot be guaranteed.

In accordance with the Lancashire code of conduct, we may request that the local authority issue penalty notices for unauthorised absences that include:

- Leave of absence which is taken without a prior request being made.
- Leave taken after a request has been declined.
- Days taken in excess of an agreed period of leave, without good reason.
- Other unauthorised absence that meets the required threshold, including sessions marked as late after the register has closed (code U).

On 19 August 2024 new penalty notice arrangements came into force, with changes to the cost of a penalty notice and to the thresholds at which penalty notices may be requested by school. The DfE now requires that schools **must** consider if a penalty notice is appropriate when the thresholds are met. The changes to be aware of are:

- Penalty notices issued for offences that take place after 19 August 2024 will be charged at £160 per parent per child. This will reduce to £80 if paid within 21 days.
- Any second penalty notice issued to the same parent for the same child within a rolling 3-year period will be issued at the rate of £160 to be paid within 28 days with no option for a discounted rate.
- The threshold at which a penalty notice must be considered is set at 10 sessions (equivalent to 5 days) of unauthorised absence within a rolling 10-school week period. This may include absences as a result of arriving late after the register closes. The 10 school weeks may span different terms or consecutive school years.
- A maximum of two penalty notices may be issued to a parent for the same child within a rolling 3-year period, so at the 3<sup>rd</sup> (or subsequent) offence(s) another course of action will need to be considered (such as prosecution or one of the other attendance legal interventions).
- If a school requests a penalty notice for absences other than unauthorised holidays, including being late after the register has closed, the local authority School Attendance Legal Team may issue a Notice to Improve to parents. A Notice to Improve is a final opportunity for parents to engage in support and improve attendance before a penalty notice is issued. If the national threshold has been met and offers of support have not been engaged with by parents or have not worked, a Notice to Improve may be issued to give parents a final chance to engage with support and improve their child's attendance.

The code of conduct for penalty notices and information and FAQs for parents can be found on the Lancashire County Council [education penalty notice webpage](#).

The school takes unauthorised absence seriously and, particularly in the case of repeated unauthorised absences, will undertake further liaison with the family, children, the School Attendance Consultant and the School Attendance Support Team. Furthermore, Lostock Hall Community Primary School may request that the local authority issue penalty notices in respect of unauthorised absence.

The school office is responsible for recording leave requests in the electronic register and will retain copies of correspondence regarding requested leave of absence for 3 years. They will also be responsible for highlighting to the Headteacher if absence continues after the notified period. In this instance the Headteacher will undertake further liaison with the family, children, the School Attendance Consultant and the School Attendance Support Team as appropriate and a Penalty Notice may be considered.

## **6) Alternative provision and use of directions**

There are a range of reasons why children might be required to access educational provision at a venue other than their main school. The main reasons are listed below:

- Children who have been excluded, either for a fixed period or permanently, for more than 5 days
- When a child is unable to access provision at their main school for medical reasons
- When a child is required to attend another venue for the purpose of improving behaviour; either on a temporary basis or with a view to making a permanent move to the alternative provision (managed move)

When a child is required to attend alternative provision, the Head teacher of the main school will communicate with the governing body and will issue a written 'direction' informing all parents of the alternative provision which their child is required to attend.

## **7) Notifications school must submit to the local authority**

### **7.1 Admissions**

All schools must notify the local authority within five days of adding a child's name to the admission register and must provide the local authority with all the information held within the admission register about the child. This duty does not apply to children who are added to the admission register at the start of the school's youngest year unless the local authority also requests for such information to be provided (currently Lancashire does not).

### **7.2 Leavers**

All schools must notify the local authority when a child's name is to be deleted from the admission register under any of the grounds prescribed in regulation 8 of the Education (Pupil Registration) (England) Regulations 2006, as soon as the ground for removal is met and no later than the time at which the child's name is removed from the register. This duty does not apply where the child's name is removed after they have completed the school's final year, unless the local authority requests for such information to be provided (Lancashire currently does not).

Where a school notifies a local authority that a child's name is to be deleted from the admission register, the school must provide the local authority with the required information as laid out in regulation.

In addition to submitting a notification about removal from roll, some circumstances also require school to make referral to other local authority teams such as the Elective Home Education team or the Children Missing Education team. Schools may also contact their School Attendance Consultant for advice on removing children from roll.

### **7.3 Children who fail to attend**

All schools (including academies) must inform the local authority of any child who fails to attend school regularly or has been absent without the school's permission for a continuous period of 10 days or more. In Lancashire primary schools, this can be done via a variety of means and school can contact their School Attendance Consultant for further advice.

### **7.4 Children missing education (CME)**

Local authorities have a duty to put in place arrangements for identifying (as far as possible) those children of compulsory school age in their area who are not school registered or receiving suitable education otherwise than at a school. Local authorities should trace those children and ensure they receive a full-time education.

If a child has stopped attending and her or his location is unknown, schools must make reasonable enquiries to establish the whereabouts of the child jointly with the local authority, before deleting the child's name from the register. In such cases, school should undertake a home visit, prior to a referral being made to the local authority Children Missing Education team.

## Appendix: School attendance and the law

There are many pieces of legislation and government regulations and guidance that are relevant to school attendance and to children and their parents and carers. The list below relates to this attendance policy but is not exhaustive.

### Parents and carers

#### Duty to ensure children receive education

Section 7 of the Education Act 1996 covers the duty of parents to secure the education of children in their care who are of compulsory school age and states:

*The parent of every children of compulsory school age shall cause him to receive efficient full-time education suitable—*

- (a) to his age, ability and aptitude, and*
- (b) to any special educational needs he may have, either by regular attendance at school or otherwise.*

#### Offence if a child does not attend regularly

Under Section 444 of the Education Act 1996, if a child of compulsory school age who is a registered child at a school fails to attend regularly, their parent is guilty of an offence.

The offence is absolute as the only defences available to the parent are those statutory defences listed within that section of the Act, ie:

- the children was absent with leave granted by the school;
- the children was prevented from attending by reason of sickness or any unavoidable cause;
- absence was on a day exclusively set apart for religious observance by the religious body to which their parent belongs;
- that the school is not within statutory walking distance and that the local education authority has made no suitable transport arrangements or enabled the children to become registered at an alternative nearer school.

#### Compulsory school age

Section 8 of the Education Act 1996 establishes that a children becomes of compulsory school age on the start date of the term following her/his fifth birthday, or that day if her/his fifth birthday falls on the day term starts.

A child ceases to be of compulsory school age on the last Friday in June in the academic year in which he/she reaches the age of 16 or if he/she reaches 16 after the last Friday in June but before the start of the new school year.

#### Legal definition of "parent" in relation to attendance

The law requires that all "parents" are held responsible for their child's attendance. This definition can include any person who has care of the child. Section 576 of the Education Act 1996 states:

*Meaning of "parent".*

*(1) In this Act, unless the context otherwise requires, "parent", in relation to a child or young person, includes any person—*

- (a) who is not a parent of his but who has parental responsibility for him, or*
- (b) who has care of him.*

Thus, the definition of "parent" means all natural parents, whether they are married or not, and includes any person who, although not a natural parent, has parental responsibility and/or care for a child or young person.

#### Schools

## **Attendance and absence registration codes**

Working together to improve school attendance, DfE statutory guidance 2024, explains which codes schools should use to record attendance and absence in their registers, and specifies the DfE's expectations of schools and local authorities with respect to school attendance.

## **Data protection**

Schools must ensure that personal data is handled in accordance with the Data Protection Act 2018. See Lostock Hall Primary School's Privacy Notice for information about how personal data will be used.

## **Duty for schools to include attendance information in reports for parents**

The Education (Child Information) (England) Regulations 2005

## **Duty for schools to notify the local authority when children join or leave school**

Regulation 13 of The School Attendance (Pupil Registration) (England) Regulations 2024

## **Duty for schools to report attendance concerns about individual children to the local authority**

Regulation 13 of The School Attendance (Pupil Registration) (England) Regulations 2024

## **Duty for schools to safeguard and promote the welfare of children**

Keeping children safe in education: Statutory guidance for schools and colleges, DfE, regularly updated

## **Duty for schools to report attendance data to Government**

Section 537A of the Education Act 1996 and

Share your daily school attendance, DfE guidance 2024

## **Leave of absence**

Regulation 11 of The School Attendance (Pupil Registration) (England) Regulations 2024

## **Legal interventions**

Parents/carers commit an offence if a child who is on a school roll fails to attend regularly and those absences are recorded by the school as unauthorised.

Legal interventions are available under the following Acts, Guidance and Regulations:

- Section 444 of the Education Act 1996
- Section 36 of the Children Act 1989
- Section 23 of the Anti-Social Behaviour Act 2003
- The Education (Penalty Notices) (England) (Amendment) Regulations 2024
- School attendance parental responsibility measures 2015

## **Pupils experiencing social, emotional or mental health issues**

Mental health issues affecting a pupil's attendance: guidance for schools, DfE 2023

## **Pupils with health needs who cannot attend school**

Arranging education for children who cannot attend school because of health needs, DfE statutory guidance 2023

Supporting pupils at school with medical conditions, DfE statutory guidance 2015

## **Children with individual needs and specific barriers to attendance**

When considering the individual needs of children and families who have specific barriers to attendance, schools should be mindful of their obligations under the UN Convention on the Rights of the Child and the Equality Act 2010. Schools may wish to refer to the Technical Guidance for Schools in England, published by the Equality and Human Rights Commission, which outlines the requirements of the Equality Act 2010 for schools.

**Regulations regarding participation in performances**

The Child (Performances and Activities) (England) Regulations 2014

**Regulations regarding removal from roll**

Regulation 8 of The Education (Child Registration) (England) Regulations 2006

**Regulations regarding the school day and number of sessions**

The Education (School Day and School Year) (England) Regulations 1999

**Requirement for state-funded mainstream schools to deliver a school week of at least 32.5 hours by September 2023.**

Minimum expectation on length of the school week: information note

Length of the school week, DfE guidance 2023

Specialist and alternative provision settings are also encouraged to consider extending their core week where appropriate.