

Attendance and Punctuality Policy

Regular school attendance is important part of giving children the best possible start in life.

LDST has an attendance target of 97% with the aim that pupils will attend 100% of the time.

Approved by Directors: 3rd March 2020

Review: September 2022

Our Trust Prayer

We thank you, God of Love, for the gift of children,
Bless the work of our Trust, that in all we do
young people may grow in wisdom and stature,
and so come
to know you,
to love you
and to serve you
as Jesus did.

We make this prayer in his name who is God
with you and the Holy Spirit, now and forever.

Amen

St James'
CofE Primary School



1.0 Introduction

Jesus said, 'Let the children come to me.' (Mt 19).

We believe that we are fulfilling this command when we enable children of all faiths and none to flourish in our schools. In order for this to happen, the Liverpool Diocesan Schools Trust (LDST) works with schools and families to encourage children to attend school every day, and on time, so that they can flourish and achieve excellence. Our Trust's vision embraces the spiritual, physical, intellectual, emotional, moral and social development of children and young people, and through good attendance we believe that we can promote the development of the whole child so that children grow in wisdom and stature.

Based on our Christian vision we will encourage the highest possible levels of attendance and punctuality for pupils within all of our schools, supporting their learning and development and safeguarding them, by seeing them every day and providing them with an educationally safe and secure environment.

To gain the greatest benefit from their education it is vital that all pupils attend regularly and on time. Pupils should aim to attend every day that schools are open. We set a target for all pupils to aim for 100% attendance with the expectation all pupils will achieve at least 97%. **As a trust, we define regular attendance in our schools as 97% or above.**

LDST believes teachers, parents, carers, pupils and all members of each school's community have an important contribution in improving attendance and punctuality ensuring pupils attend to achieve the very best they can. We aim to work with parents and carers in a spirit of hope and compassion. This policy sets out how we will achieve this together.

2.0 Aims

- Maximise the overall percentage of pupil attendance and punctuality at all schools in LDST.
- Promote our vision of high attendance and punctuality amongst the school community.
- Reduce the number of pupils who are persistently absent.
- Provide support advice and guidance for parents, pupils and staff.
- Develop clear procedures for the maintenance of accurate registration for pupils.
- Ensure a systematic approach to gathering, analysing and acting upon attendance data.
- Ensure a Trust-wide, whole school approach to ensure consistency of intervention strategies.
- Continue to promote effective partnerships with the Local Authority, Children's Services, Health and other partner

2.1 Promoting regular Attendance is everyone's responsibility

To help us all focus on this, schools within LDST ensure:

- Appropriate interventions are in place to improve punctuality.
- An appropriate curriculum is provided and is reviewed regularly.
- The need for high quality teaching and learning throughout the school is recognised as being essential to the promotion of attendance.

- Pupils are provided with appropriate support to minimise absence from school. This includes school and multi-agency provision as appropriate.
- Our most vulnerable pupils are given equal opportunities to flourish and provided with appropriate support to ensure they have good attendance.
- Effective partnerships with parent/carers are encouraged through regular contact and support provided.
- Parents/carers are kept informed of pupils' attendance and punctuality through first day contact, termly progress reports, individual letters and meetings when required.
- Good attendance and punctuality are rewarded through regular incentives.
- Attendance and punctuality are regularly discussed with pupils in class and at assemblies.
- Staff attendance roles and responsibilities are clearly defined, and all staff should ensure these are followed.

3.0 Attendance Expectations and Absence Procedures

A child not attending school is considered to be a safeguarding matter. This is why information about the cause of any absence is required.

3.1 Expectations of Parent/Carer

We believe every child has the right to access a high quality education so they can 'grow in wisdom and stature' (Luke 2:52). Ensuring your child's regular attendance at school is a parent/carers' legal responsibility (Section 444 of the 1996 Education Act) and permitting absence from school that is not authorised by the school creates an offence in law. Parents are expected to support the Trust's attendance policy by positively encouraging children to attend school on time every day

- Ensure your child arrives for school on time.
- Telephone school if your child is to be late.
- For routine non-emergency medical and dental appointments please ensure they are made outside of school hours.
- Contact school preferably by 9.30am on the first day of absence if your child is unable to attend through illness, giving an indication of the expected duration and return date to school.
- If a text message/phone call is received as a result of your child's absence it is important that you respond to this text message/phone calls to ensure your child is appropriately safeguarded.
- Contact the schools Attendance Team – Mrs Gaffney, Mrs Abrams or Mr Lovgreen if the reason for absence requires a more personal contact.
- **In case of emergency** we need up to date contact numbers at all times so please ensure you inform us of any changes especially to mobile telephone numbers. (As a school we request a minimum of **two, preferably three** emergency contact details be provided)
- Requests for exceptional circumstances leave of absence must be in writing to the Headteacher and can only be authorised by the Headteacher. Reasons such as a close family bereavement or taking part in a significant religious event would be acceptable for short absences. Unacceptable reasons for missing school, include general holidays, weddings, shopping, concerts and birthdays. Absence Forms can be requested from the school reception or on the schools website.

3.2 If a pupil is absent, we will

- Telephone and text the parent/carer on the first day of absence if we have not heard from them by 9.30am.
- If no response is received and the absence is unauthorised two members of school staff will conduct a home visit. If there are safeguarding concerns, contact will be made with the family as soon as possible and also the families support worker e.g Attendance Service/Start Well Service or Social Worker.
- If a pupil's absences are increasing and we are not aware of a good reason the parent/carer will be invited to meet with a member of the schools Attendance Team.
- If absences persist the pastoral team will discuss actions with the Local Authorities Attendance Service.

4.0 Understanding types of Absence

Schools must record every absence that a pupil takes from school and this is why it is important that parents/carers advise school about the cause of any absence, preferably by calling the school on the first day of absence and in writing on the pupil's return.

4.1 Authorised Absence

Authorised Absence is when the school has accepted the explanation offered as satisfactory justification for the absence or given approval in advance for such an absence. If no explanation is received, absences cannot be authorised. It is the Headteacher, not parents who make the decision to authorise absence from school.

4.2 Unauthorised Absence

Unauthorised Absence is when the school has not received a reason for absence or has not approved a child's leave absence from school after a parent's request. This includes but is not exclusive to:

- Parents giving their children permission to be off school unnecessarily, such as for shopping, birthdays, to look after siblings
- Absences which have not been explained.
- Pupils who arrive at school too late to get their mark.

Education Penalty Notice Warning for non-school attendance

Under the Education Act 1996, parents and carers have a duty to make sure their children regularly attend school. If parents or carers fail to do this, they can be prosecuted.

Working within a Code of Conduct the Local Authority can issue a penalty notice to parents or carers if a child has missed a number of sessions without permission from the school.

If your child falls within one or more of these categories within a 12-week period

- 10 sessions (5 days) of unauthorised absence with under 90% attendance
- 20 sessions (10 days) of unauthorised absence
- persistently arrives late for school after the close of registration.

you could receive a Penalty Notice of £60 which will increase to £120 if not paid within 21 days. The Penalty Notice will need to be paid in full before 28 days of the notice being served. Failure to pay a penalty notice may result in prosecution (a separate penalty notice may be issued to each parent for each child).

In law, an offence is committed if a parent fails to secure a child's regular attendance at school. Wigan Council Attendance Service, in conjunction with schools, will use these powers as an early deterrent to prevent patterns of unauthorised absence developing.

You may also receive a Penalty Notice for the offence of failing to secure regular school attendance under the following circumstances:

- Your child is stopped on a truancy sweep
- You fail to ensure that your child is not in a public place during the first 5 days of a fixed term or permanent exclusion.

The Local Authority and schools are committed to providing the best possible future for your child.

4.3 Persistent Absence

- Pupils are defined as persistent absentees by the Department for Education (DFE) if their attendance falls below 90%. This is for any absence whether authorised or unauthorised. The DFE expects schools to intervene well before pupils reach a level of persistent absence.
- Whilst we understand that pupils can be absent from school because they are ill, sometimes they can be reluctant to attend. If a pupil is reluctant to attend or a parent/carer has concerns, it is important that contact is made with the school as soon as possible to gain support and to work together to gain a resolution.
- Parent/Carers are asked to contact the schools Attendance Team – Mr Lovgreen, Mrs Gaffney and Mrs Swann in the first instance.

5.0 Why Regular Attendance is very important

Our Christian vision is for all children to flourish in our schools and experience 'life in all its fullness' (John 10:10). Any absence affects education and regular absence will seriously affect pupils' learning.

Pupils who have time off often find it difficult to catch up and do well.

- 90% attendance is equivalent to a pupil missing one half day per week or missing 4 whole weeks over the year - approximately 120 lessons per year missed

Ensuring your child's regular attendance at school is your legal responsibility and permitting your child to have any absence without a good reason from school is an offence in law (The Education Act 1996) and may result in legal action.

6.0 Attendance Service – Wigan Council.

Wigan Council Attendance Service is a dedicated, highly skilled team of individuals that specialise in all areas of school attendance to support children and young people (aged 4-16) when absence becomes a barrier to learning. The Attendance Service works in partnership with schools to identify young people's needs, develop interventions and secure positive outcomes. It supports schools, families and children by giving advice, delivering practical support and ensuring that legal requirements are met.

7.0 Leave of Absence in Term Time

The Law does not give any entitlement to parents to take their child on holiday during term time and the LDST Attendance policy reflects this. Any application for leave must be in truly exceptional circumstances and the Headteacher must be satisfied that the circumstances warrant the granting of leave.

Parents/carers can receive a fine for non-attendance of school for taking their child on holiday during term time without prior consent from school. Consent cannot be given retrospectively. The Headteacher will determine the number of school days a child can be away from school **if, due to exceptional circumstances**, the leave is granted.

8.0 Lateness

Poor punctuality is not acceptable. If a pupil misses the start of the day, they can miss work and late arriving pupils disrupt lessons, it can be embarrassing for the pupil arriving late and can encourage future absence.

8.1 How we manage lateness

The school day starts and registers open at 8.50am by the class teacher and pupils receive a late mark if they are not in their class by that time. School recommends that pupils arrive at 8.40am.

- All late arrivals must sign in on the electronic register at the main office.
- If a pupil comes to school on their own and arrives late to school parents/carers will receive a text message/telephone call to inform them of their child's late arrival.
- Late arrival to school following the close of registers is classified as an absence. If a pupil is persistently late after the official close of the register, the school may request the local authority issue a Penalty Notice.
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If a Parent/Carer has any problem getting their child to attend school on time they should contact the schools Attendance Team – Mrs Gaffney, Mrs Abrams and Mr Lovgreen who will offer support to resolve the problem.

9.0 People Responsible for Attendance Matters at St James' C of E Primary School

All school staff, parents/carers and pupils need to work as a team to support the attendance and achievement of pupils. This continued support therefore is vital in making every pupil's journey through school a success.

If you feel that you need support with attendance and punctuality our Attendance Team – Mrs Gaffney, Mrs Abrams and Mr Lovgreen able to provide support.

10.0 Removal from Roll

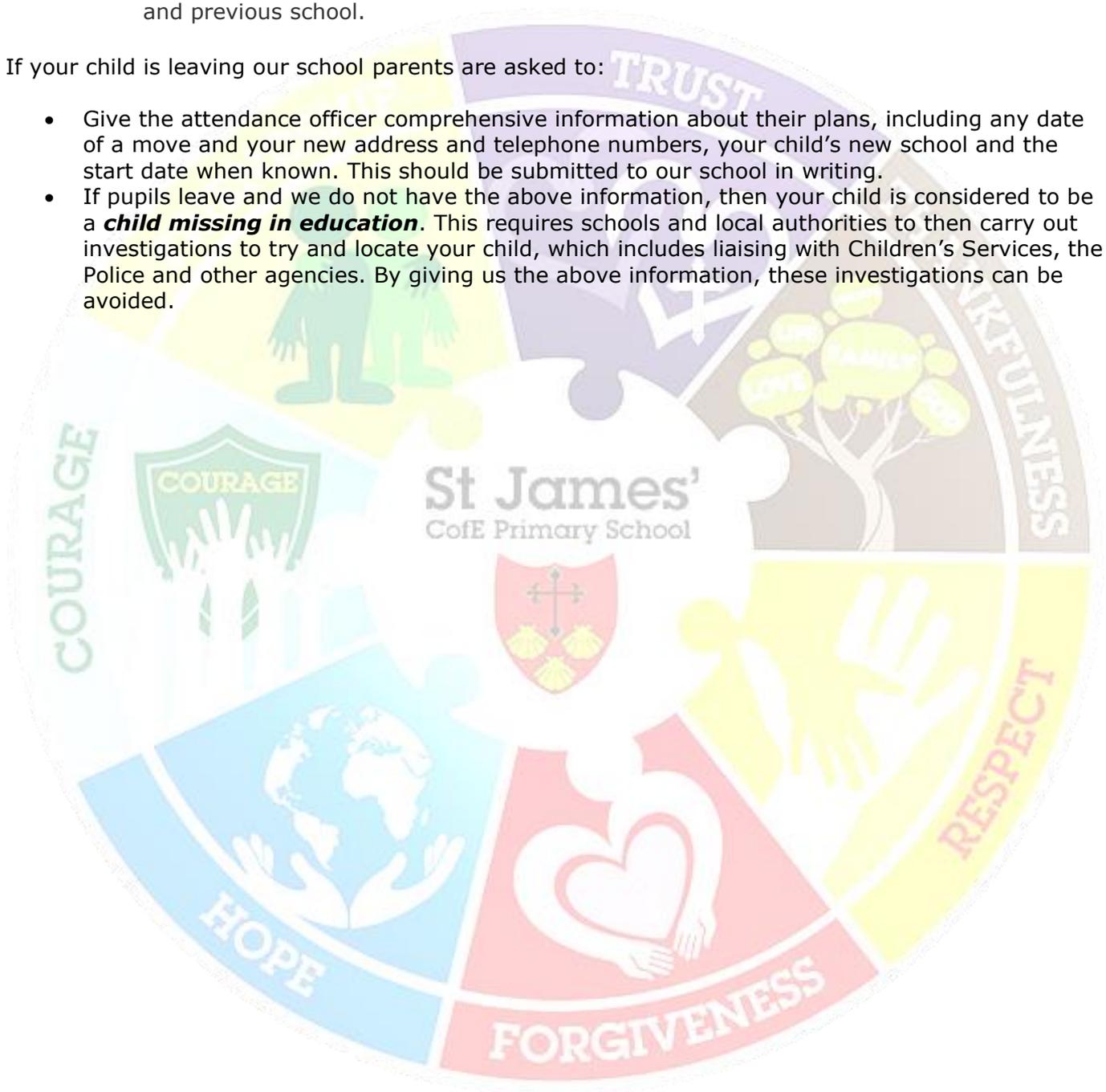
From the 1st September 2016 changes were introduced to the Pupil Registration Regulations 2016. These amendments affect all non-standard transitions; this is whenever a child of compulsory school age leaves a school before completing the school's final year.

As a school we are now required to:

- Inform the LA in **every** circumstance when deleting a pupil's name from the admission register
- Inform the LA of the pupil's destination school and home address if the pupil is moving to a new school.
- Provide information to the LA when registering new pupils, including the pupil's address and previous school.

If your child is leaving our school parents are asked to:

- Give the attendance officer comprehensive information about their plans, including any date of a move and your new address and telephone numbers, your child's new school and the start date when known. This should be submitted to our school in writing.
- If pupils leave and we do not have the above information, then your child is considered to be a **child missing in education**. This requires schools and local authorities to then carry out investigations to try and locate your child, which includes liaising with Children's Services, the Police and other agencies. By giving us the above information, these investigations can be avoided.



Appendices – *working towards best practice*

Attendance and Punctuality Roles and Responsibilities Guidance

Whole School Approach

When	Whom	Actions Expected
DAILY	Pupils	<ul style="list-style-type: none"> • Arrive on school site by 8.40am. • Be in class on time for registration at 8.50 am.
	Class Teachers	<ul style="list-style-type: none"> • Classroom doors opened by teachers at 8.40am. • Registers are completed on SIMS each day on time: morning by 9.00am, afternoon immediately as children arrive in class following lunch break. • Ensure attendance has a high profile in class. - The attendance poster must be completed weekly and displayed on classroom window for parents and wellbeing board for children and staff. - The number of children present in the morning must be used as a quick number fact game, immediately after registration. - Short supportive return to school discussions with short term absence children, to be carried out with children. - Catch up opportunities for work they have missed. - Provide structured welcoming back of long-term absentees, with support of other adults as appropriate e.g. SENDCO or 1-1 support. - Ensure all Late arriving pupils are spoken to. - End of day discussions e.g. exit circle to celebrate achievements of that day and enthuse children with the next day learning. - Model good attendance and punctuality as a member of staff. • Alert attendance officer to any messages received from parents, and any concerns staff have – CPOMS all information.
	Pastoral Staff	<ul style="list-style-type: none"> • Ensuring staff have completed AM/PM registers. • Ensuring input of accurate attendance marks in the register via SIMs. • Identify pupils who are absent from school without reason (daily before 9.15am) • Log on SIMS, parental voicemails, text messages and emails regarding student absences • First day absence phone calls made following up unexplained absences. All numbers on the contact sheet should be used if we are unable to contact the parents. • Parent Mail messages/text message sent to parent who we have failed to make contact with regarding their child's absence. • Home visits made for children that have unexplained absences. • SLT and class teachers contacted with specific attendance queries and necessary follow ups required e.g identified barriers to learning. • Supporting staff with registration queries, support the interventions of the class teachers. • Logging attendance of all pupils going out /in school for medical, dental or visits • Daily liaison with other settings for pupils educated off site following all attendance and safeguarding procedures, ensuring the same level of care is provided. • Daily Late process, log and send actions for relevant staff as appropriate. • Daily Attendance percentages sent to all classes.

	Curriculum Leaders	<ul style="list-style-type: none"> Curriculum leads carry out short informal discussions with identified pupils to overcome any barriers the child has linked to their subject area e.g. dislike of PE. Curriculum leads discuss removal of barriers to learning with individual class teacher e.g. prompt day before to bring PE kit. Follow up to ensure actions taken have had the desired impact. Log all information on CPOMS.
	Attendance Service	<ul style="list-style-type: none"> Safeguarding home visits as required. Focused casework interventions with persistent absence pupils and families. Phone call contact with pupils/parent Attendance home visits as required. Instigation of legal proceedings. Tracking of actions and interventions and feedback to pastoral staff.
	Inclusion Leader	<ul style="list-style-type: none"> Monitoring and tracking of staff not completing registers in line with Safeguarding requirements. Liaison with Attendance Team, Pastoral staff and Curriculum Leaders regarding support work with identified pupils.

When	Whom	Actions Expected
WEEKLY	Class teachers	<ul style="list-style-type: none"> Ensure all members of the class know the school target and their current class current attendance, displayed in classroom alongside class attendance figure. Y1 – Y6 children are aware of and record in their planners their individual weekly attendance figure. Celebrate attendance and punctuality and share pupil rewards. Organise help for pupils to catch up on missed work due to prolonged absence.
	Pastoral Staff	<ul style="list-style-type: none"> Informing SLT and Attendance Team of pupil patterns of absence. Discuss punctuality issues with identified pupils and parent. Provide weekly punctuality data for class teacher and pupil rewards. Reward for the class with the best percentage attendance that week. Report the attendance data in the newsletter for parents and children.
	Inclusion Leader	<ul style="list-style-type: none"> Monitoring and Tracking of staff not completing registers in line with Safeguarding requirements. Weekly attendance meeting with attendance team to plan actions. Liaison with Attendance Team, Pastoral Coordinators and Curriculum Leaders regarding support work with identified pupils where appropriate.

When	Whom	Actions Expected
HALF TERMLY	Curriculum leaders	<ul style="list-style-type: none"> Maintain a high profile of attendance as a significant contributor to pupil achievement e.g. Attendance equals achievement banners. Ensure that all teaching staff provide Quality First Teaching to ensure the overcoming of barriers faced by individual children.

	Inclusion Leader	<ul style="list-style-type: none"> • Ensure that attendance features in ALL parents evenings and reports. • Monitor and track individual attendance/PA Action Plans. • Liaise with SLT to monitor, evaluate and review the whole school attendance and punctuality action plan e.g. LDST Attendance and Punctuality Quality Mark. • Use attendance data to identify and take action to improve the attendance of vulnerable pupils. • Attend Pupil Progress Meetings, focusing on impact of attendance on achievement and progress. • Provide attendance reports for Governors and education officer. • Send out EPN letter.
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TERM 1	Senior Leaders/ Inclusion Leader	<ul style="list-style-type: none"> • The importance of attendance is underpinned by awareness of safeguarding issues for all pupils both in school and those at off site provision. • Ensure that attendance is given a high profile as a key driver of school improvement and provide support and guidance to SLT, for plans to raise attendance. • Ensure that the attendance policy is implemented across the school and that systems are operating effectively. • Report to SLT on attendance matters. • Ensure school prospectus, parent welcome booklet and school social media promote Attendance and punctuality. • Attendance is high priority at pupil progress meetings. • Discuss attendance with LDST attendance team.
	Headteacher	<ul style="list-style-type: none"> • Ensure that attendance maintains a high profile as a key driver of school improvement through close monitoring and scrutiny of attendance data in conjunction with SLT and Governors

Table of escalation of interventions			
Attendance %	RAG	Intervention	Lead Responsibility
<p>100%</p> <p>Attendance is Excellent</p>		<ul style="list-style-type: none"> Rewards and Praise Termly certificates for 100% attendance. End of year reward for 100% attendance and most improved. Termly non uniform day for 100% attendance. 	<p>Class Teacher</p> <p>Pastoral Staff</p> <p>Senior Leader</p>
<p>99% - 97%</p> <p>Attendance is Good</p>		<ul style="list-style-type: none"> Rewards and Encouragement Termly certificates for pupils reaching the 97% target. 	<p>Class Teacher</p> <p>Pastoral Staff</p> <p>Senior Leader</p>
<p>96% - 90%</p> <p>Attendance is a Concern</p>		<ul style="list-style-type: none"> Discussion with pupils to identify barriers Meeting with parents and children to identify barriers and set targets Return to school discussions with class teacher to support catch-up Safe and well safeguarding visits, as appropriate. Attendance letter 1 sent with a 2 week monitoring period, no improvement letter 2 sent and then a 2 week monitoring period, if attendance continues to deteriorate the HT and/or Attendance Team meet with parents. 	<p>Class Teacher</p> <p>Pastoral Staff</p> <p>Senior Leader</p> <p>Head teacher</p>
<p>Below 90%</p> <p>Attendance is a Serious Concern</p>		<ul style="list-style-type: none"> Action plan drawn up e.g. Early Help Regular action planning meetings HT/Attendance Team meet with parents Governors meet with parents (Chair of Governors and Assessment Governor) Safe and well safeguarding visits <ul style="list-style-type: none"> Individual Action Plans drawn up Legal interventions as needed Signposting to other professionals as needed 	<p>Senior Leader</p> <p>Pastoral staff</p> <p>Governors</p>

APPENDIX 1

Dear Parent,

Education Penalty Notice Warning for Non-School attendance

Under the Education Act 1996, parents and carers have a duty to make sure their children regularly attend school. If parents or carers fail to do this, they can be prosecuted.

Working within a Code of Conduct the Local Authority can issue a penalty notice to parents or carers if a child has missed a number of sessions without permission from the school.

If your child falls within one or more of these categories within a 12 week period

- 10 sessions (5 days) of unauthorised absence with under 90% attendance
- 20 sessions (10 days) of unauthorised absence
- persistently arrives late for school after the close of registration

you could receive a Penalty Notice of £60 which will increase to £120 if not paid within 21 days. The Penalty Notice will need to be paid in full before 28 days of the notice being served. Failure to pay a penalty notice may result in prosecution (a separate penalty notice may be issued to each parent for each child).

In law, an offence is committed if a parent fails to secure a child's regular attendance at school. Wigan Council Attendance Service, in conjunction with schools, will use these powers as an early deterrent to prevent patterns of unauthorised absence developing.

You may also receive a Penalty Notice for the offence of failing to secure regular school attendance under the following circumstances:

- Your child is stopped on a truancy sweep
- You fail to ensure that your child is not in a public place during the first 5 days of a fixed term or permanent exclusion.

The Local Authority and schools are committed to providing the best possible future for your child. If you have concerns about your child's attendance at school or if you are experiencing any difficulties please contact your school and ask for support.

Yours sincerely,

Headteacher

The Education (Penalty Notice) (England) Regulation 2004

The information on this form will be used in the consideration of issuing a Penalty Notice for unauthorised absence in term time under the above Act relating to unauthorised absence of a registered pupil at the school.

To the best of my knowledge the information submitted on this form is accurate and correct in line with Education Penalty Notice & GDPR Guidance.

Name of pupil:		DOB:		Year:	
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School :		Number of UA absences:	
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Childs Address:		Contact No:	
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Parents/Carers details

First Name:		Surname:	
Address:		Contact No:	

Parents/Carers details

First Name:		Surname:	
Address:		Contact No:	

Sibling details

Full Names:		DOB:	
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Schools:		Att:	
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Main reason for EPN request:	
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Family background, school, other agency involvement:	
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eg EH/ Child In Need/ Child Protection/ Mental health issues/ Anti-social behaviour/SEN/Encompass reports?

Education Penalty Notice Code of Conduct - August 2018

Rationale

Regular and punctual attendance at school is a legal requirement under Section 444 of the Education Act 1996. It is essential that parents maximise the educational opportunities available for their children and provide the best possible start in life.

Under previous legislation, parents of a registered pupil whose child failed to attend school regularly and whose absence was unauthorised committed an offence for which prosecution was the only available sanction. With the Education Penalty Notices Regulations 2007 penalty notices were introduced as an early intervention strategy as an alternative to the previous sanction by allowing parents an opportunity to discharge potential liability for conviction for the offence. From 1st September 2013 the fine is £60 to be paid within 21 days and increased to £120 to be paid within 28 days. If the penalty remains unpaid by the end of 28 days, the Local Authority must consider the commencement of proceedings for the offence to which the notice relates. The prosecution is not for the non-payment of the notice but is for failure to ensure regular attendance at school.

Education Penalty Notices should be used as an early deterrent to prevent patterns of unauthorised absence developing and to supplement rather than replace the use of the wider powers already available. As with current legislative action they are to be used for the enforcement of attendance and not for use as a punishment for absence.

Schools have the first responsibility to take effective action to improve attendance. Where there is clear evidence of underlying problems within the family that require more intensive support an Early Help assessment would be advised. This could support the family to make changes that will improve school attendance and other outcomes. Penalty notices should be used where a parent is capable of securing an improvement in their child's school attendance but is unwilling to do so.

They can only be used for periods of unauthorised absence and the defenses in law replicate those already in place for enforcement actions under the provisions of Section 444 of the Education Act 1996.

A separate penalty notice will be issued to each parent for every child who is not attending school. For each child there should be an Education Penalty Notice warning letter issued to each parent during an academic year.

Excluded pupils

Section 105 (1) of the Education and Inspections Act 2006 empowers designated Local Authority Officers, Headteachers (and Deputy and Assistant Headteachers authorised by them) and the Police to issue penalty notices in cases where an excluded pupil is in a public place during school hours at any time during the first five days of any period of exclusion from school without justifiable cause.

If the pupil was subsequently to be found out in a public place again either during the same period of exclusion or during a further exclusion within the same academic year then a penalty notice may be issued.

Non-payment of a penalty notice issued where a parent allows an excluded pupil during the first five days of any period of exclusion to be present in a public place without justifiable cause may result in a prosecution under Section 103 (3) of the Education and Inspections Act 2006.

Legislation

Section 23 of the Anti-Social Behaviour Act 2003 introduced new powers for designated Local Officers, Headteachers and the Police to issue penalty notices for unauthorised absence from school.

The Education (Penalty Notices) (England) Regulations 2004 came into force on 27th February 2004. These were updated by the Education (Penalty Notices) (England) Regulations 2007 (as amended).

Penalty Notices must be issued in a manner that conforms to all requirements of the Human Rights Act and all Equal Opportunities legislation.

For the purposes of the protocol, the legal definitions of 'parent' are:

- Any natural parent, whether married or not.
- Any parent who, although not a natural parent, has parental responsibility as defined in the Children Act (1989) for a child or young person.

- Any person who, although not a natural parent, has care of a child or young person

If a Penalty Notice remains unpaid:

Prosecutors must take into account the ‘Code for Crown Prosecutors’ that sets out a two-stage test that prosecutors should follow when they make decisions on case:

Is there enough evidence against the defendant?

When deciding whether there is enough evidence to charge, prosecutors must consider whether evidence can be used in court and is reliable. Prosecutors must be satisfied there is enough evidence to provide a ‘realistic prospect of conviction’ against each defendant.

Is it in the public interest for the CPS to bring the case to court?

A prosecution will usually take place unless the prosecutor is sure that the public interest factors tending against prosecution outweigh those tending in favour.

Issuing of Penalty Notices

For an Education Penalty Notice to be considered the school is responsible for issuing an Education Penalty Notice warning letter to each parent at the beginning of the academic year and then subsequently each term (Appendix 1). For any mid-year admissions to the school all parents will receive the Education Penalty Notice warning letter as part of their intake meeting.

Prior to requesting an Education Penalty Notice schools should take all reasonable steps to ensure good attendance. In cases where a school has concerns about a pupil’s attendance, the school must ensure contact has been made to parent(s) to try and resolve any issues and difficulties to prevent potential prosecution. An Education Penalty Notice should be used as a last resort.

An Education Penalty Notice may be issued following an Education Penalty Notice warning (Appendix 1) being sent.

School would complete Education Penalty Notice request form (Appendix 2) if a child falls within one or more of these categories within a 12-week period;

- 10 sessions (5 days) of unauthorised absence with under 90% attendance
- 20 sessions (10 days) of unauthorised absence
- persistently arrives late for school after the close of registration

The Local Authority will consider issuing a Penalty Notice to each responsible parent.

The use of Penalty Notices shall be restricted to one per pupil, per parent in any single academic year.

Wigan Local Authority will consider requests to issue Penalty Notice only if;

- An Education Penalty Notice request form (Appendix 2) is completed with all necessary information and the supporting relevant documentation is provided.
- The period of absence is not being considered for proceedings according to Section 444 (1) or (1A) of the Education Act 1996.
- The issue of an Education Penalty Notice does not conflict with other intervention strategies in place by the Local Authority or by other agencies where the circumstances are known to the Local Authority.

To ensure consistent delivery of Education Penalty Notices the request form (Appendix 2) will require completion by the school and the following documentation provided:

- A copy of the pupil’s up to date attendance certificate showing a minimum of ten sessions (5days) with below 90% attendance
- A chronology of intervention; i.e. details of meetings, letters, phone calls with the parent(s) and has parent(s) been informed that criteria has been met
- Evidence of the Education Penalty Notice warning being issued to the parent(s)
- Clear agreement and consent from Headteacher

The Local Authority will consider each request and may deem it appropriate to take one of the following actions;

- Advise schools to refer to supporting agencies
- Issue an Education Penalty Notice

- Advise the school to refer to the Attendance Service

Payment of Penalty Notices

The payment of an Education Penalty Notice will be £60 if paid within 21 days, increasing to £120 to be paid within 28 days.

Non-payment of Education Penalty Notices

If payment is not received within 28 days, the Local Authority will consider prosecution for the unauthorised absence to which the Education Penalty Notice relates.

Non-payment of an Education Penalty Notice may result in legal action being taken by the Local Authority. These actions will be considered where a significant improvement of school attendance is not apparent.

The instigation of legal proceedings for unauthorised absence from school under Section 444 (1) of the Education Act 1996 may also be considered where it is deemed to be appropriate.

In these circumstances, the school is required to provide the Local Authority with a signed school attendance record of the pupil.

Procedure for withdrawal

Once an Education Penalty Notice has been issued it can only be withdrawn in the following circumstances:

- It has been established that the notice was issued in error.
- The notice had been issued to the wrong person.
- The circumstances of the absence do not comply with the conditions of Wigan Council Local Authority's code of conduct and the Education (Penalty Notices) (England) Regulations 2007.
- The parent/carer provides evidence that would constitute a statutory defence.

School and Local Authority policy documents

All schools should include clear reference to the Local Authority School Attendance Code of Conduct in their attendance policies and this should be brought to the attention of all parents through prospectus material. In addition, the Education Penalty Notice warning is issued to parents at the beginning of the academic year and subsequently each term. Where early patterns of unauthorised absence are occurring the sending of advisory letters is an action that schools should normally undertake, alongside having conversations regarding absence with parents and reinforcing the potential implications.

Monitoring and review

The Local Authority will monitor and evaluate the outcomes of Education Penalty Notices in terms of improvement in school attendance, payment and any subsequent legal action. The use of the notices will be reviewed at regular intervals and the enforcement strategy of the Local Authority may be amended accordingly. Service reports include data on the deployment and outcomes of their use.

Appendix 2

LEAVE OF ABSENCE REQUEST FOR FAMILY HOLIDAY DURING TERM TIME

If you require taking your child out of school to travel, please complete the details below and return the form to school at least two weeks before you are due to go away.

To: **The Headteacher, St. James' C.E. Primary School**

Name of Child (children) :	
Class (Classes if more than one child) :	
I request permission for the above named child/children to accompany me on my annual family holiday during the school term. It is not possible for us to take holidays during the school holidays due to the following circumstances:-	
Date of proposed holiday:	From/...../..... to/...../..... Will be back in school on/...../..... Number of school days absent Days
Destination of holiday: Please provide evidence such as holiday confirmation or tickets.	
Who will be going on this holiday:	
Signed by parent :
Dated :

(Office use only)

	Previous year's attendance
Number of holidays absences already taken this academic year.	
Number of holidays/traveling periods now requested	
Total	
Absence to be marked with the T code unless attending another school.	Signed Headteacher

Signed: Headteacher Dated:

LEAVE OF ABSENCE REQUEST FOR RELIGIOUS OBSERVATION DURING TERM TIME

The law states that parents do not have the right to take their child out of school, for holidays, during term-time

In exceptional circumstances however, the Head Teacher can authorise a period of leave up to ten days in any one school year and this can include religious observation/celebrations.

If you require taking your child out of school for a religious observation/celebration, complete the details below and returning the form to school at least two weeks before you are due to go away.

To: **The Headteacher, St. James' C.E. Primary School**

Name of Child (children) :	
Class (Classes if more than one child) :	
I request permission for the above named child/children to accompany me on a religious observation/celebration during the school term.	
Date of proposed holiday :	From/...../..... to/...../..... Will be back in school on/...../..... Number of school days absent Days
Signed by parent :
Dated :

(Office use only)

Previous year's attendance

Number of religious observations/celebrations absences already taken this academic year.	
Number of religious observations/celebrations now requested	
Total	
Request unauthorised due to school's leave of absence policy.	Signed Headteacher

The request for leave of absence for has been authorised /unauthorised due to school's leave of absence policy.

Signed: Headteacher Dated:

LEAVE OF ABSENCE REQUEST FOR TRAVELING DURING TERM TIME

If you require taking your child out of school to travel, please complete the details below and return the form to school at least two weeks before you are due to go away.

To: **The Headteacher, St. James' C.E. Primary School**

Name of Child (children) :	
Class (Classes if more than one child) :	
I request permission for the above named child/children to accompany me traveling during the school term.	
Proposed traveling :	From/...../..... to/...../..... Will be back in school on/...../..... Number of school days absent Days If you are not returning on this day you must contact school or your child will be reported to the local authority as missing in education.
Traveling destination	
Who will be going with the child/children	
Will the children be placed in a school whilst you are traveling	
Signed by parent :
Dated :

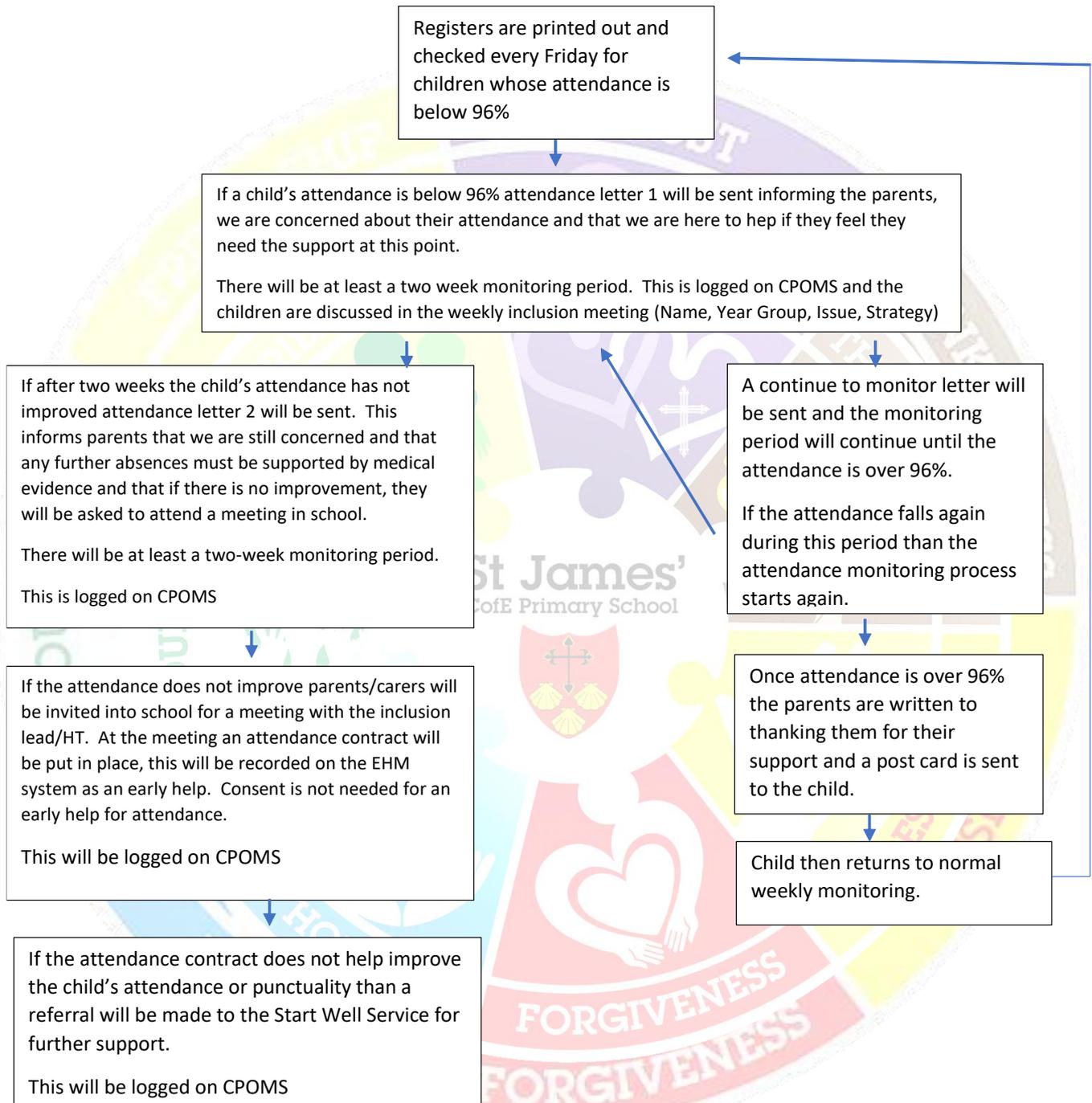
(Office use only)

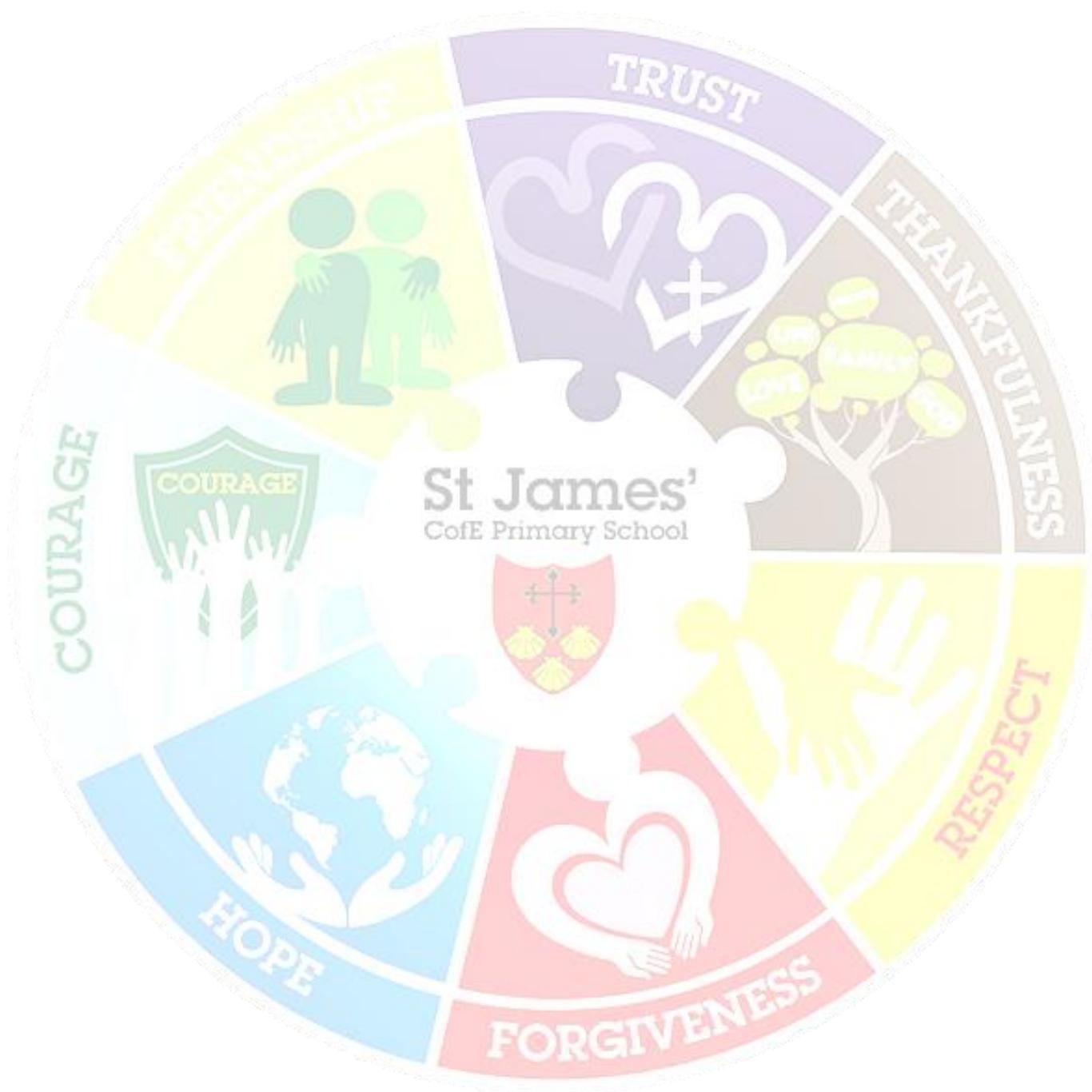
	Previous year's attendance
Number of holidays absences already taken this academic year.	
Number of holidays/traveling periods now requested	
Total	
Absence to be marked with the T code unless attending another school.	Signed Headteacher

.....

Signed: Headteacher Dated:

Attendance monitoring





Process for children arriving late

When the child/children arrive in school they will be greeted by the office staff who ask them why they are late.

Parents need to be challenged regarding in appropriate reasons for lateness and directed to the electronic signing in machine

Whilst the parent is signing the child in the child needs to be let into school.

Once the child is in school, they need to choose what they are having for lunch. This needs to be done quickly as the child is already missing valuable learning time.

This mark then needs to be entered on to the SIMS system by office staff.

L code is used for children arriving before 9.15am

U code is used for children arriving after 9.15am.

Learning mentor will have oversight of attendance marks through the daily attendance monitoring.

Receiving a telephone call for a poorly child.

When a parent/carer contacts school the member of staff taking the call will use the attendance script to find out why the child is not in school. **Do not accept a message to say a child is unwell we need a reason.** If a child has been prescribed medication, please remind parents that this can be given in school

This mark then needs to be entered on to the SIMS system by office staff.

I code is used for children that are ill.

C code is for other circumstances e.g. bereavement.

O code is used for unauthorised absences

M code is for medical appointments

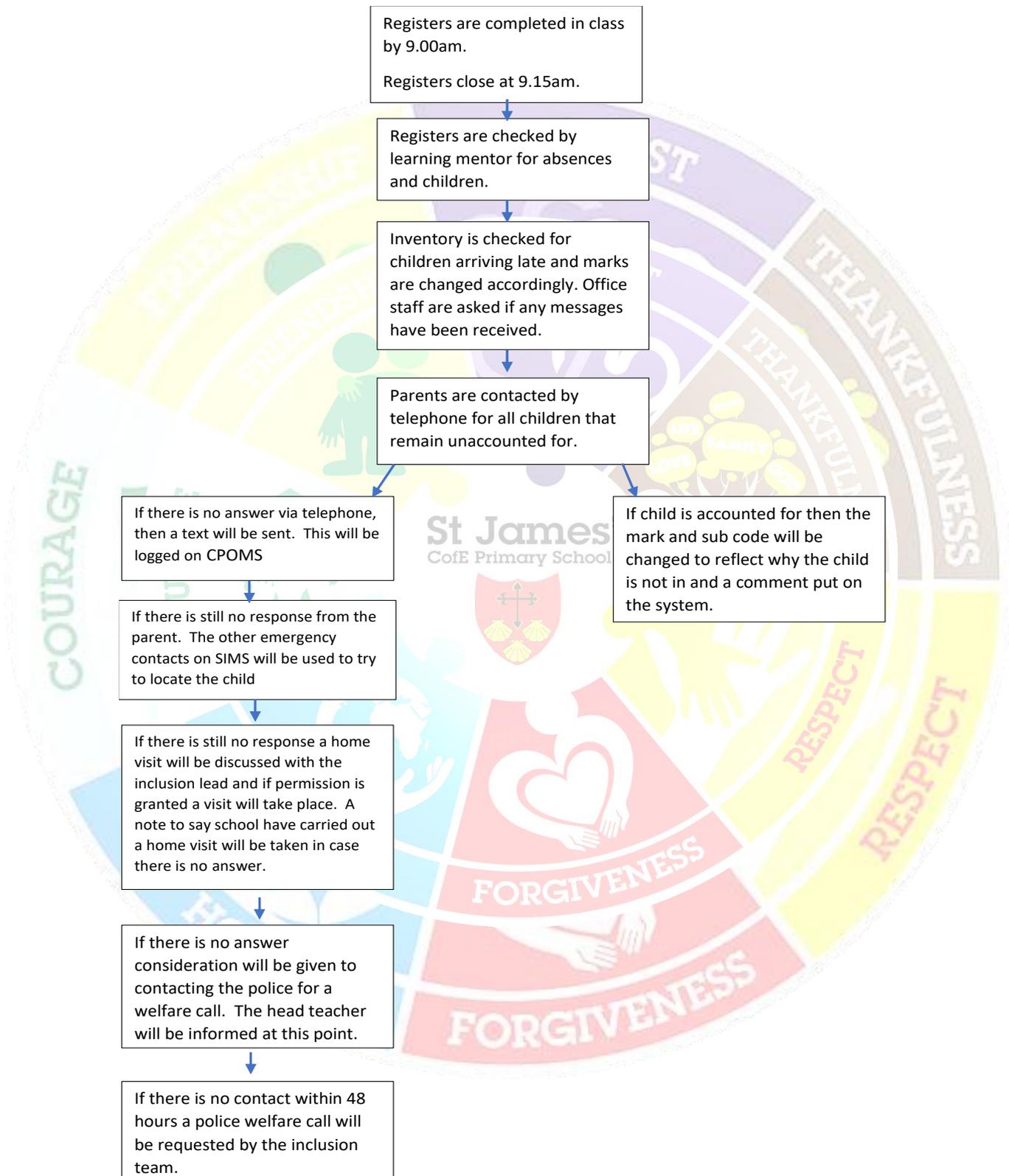
A comment will then need to be added. This can be done by right clicking on the morning mark, this will open a drop-down box, enter comment should be selected.

Example message

Sickness message received from Dad 13-01-22. Should be returning to school on 14-01-22

The learning mentor will have oversight of the attendance marks when carrying out daily monitoring.

First day absence response



Persistent Absence Monitoring YR to Y6.

Registers are printed out and checked every Friday for children whose attendance is below 96% and attendance monitoring flow chart is followed.

This is logged on CPOMS

Children below 90% are monitored weekly and recorded on persistent absence log is completed detailing their vulnerabilities and reasons for absences.

This is logged on CPOMS

These children are then discussed in the weekly inclusion meeting. A plan is then put in place to support the children coming into school and improving their attendance. The impact of the strategy is monitored.

Half term PA monitoring

Traffic light letters sent.

Termly PA monitoring

Termly PA letter sent.

This is logged on CPOMS

St James
CofE Primary School

What to do when a child is unwell and needs to go home.

When a child says they feel they should be monitored for a suitable period of time and encouraged to stay in school as long as possible.



When it is felt that the child needs to go home this **MUST** be discussed with a member of the senior leadership team. If they can not be found it **MUST** be discussed with Mrs Gaffney.



When it is felt that the child needs to go home the office staff should be informed and they will contact parents.
The office staff will then contact you with an update as



The child should remain in class or nearby with a member of staff. The office staff will then contact the class teacher when the parents/carers arrive to collect the child.



When parents arrive the person supervising the child must bring them down to the office and explain to the parent/carer what is wrong with the child. We do not need to advise the parent how long to keep the child at home as there are lots of reasons why children feel unwell.

Appendix 4 – Protocol for schools requesting Police visit a family home

Very occasionally a school may need to escalate their concerns to police if they are unable to gain access to a property to see a child or young person and they are concerned for their welfare and specifically there are additional vulnerabilities concerning the child or the family.

Before contacting the Police, schools should have:

- tried all emergency contact numbers to see if other family members, neighbours or friends have had recent sight of the child and family.
- attempted to speak to neighbours.
- spoken to other agencies or settings known to the family in case they have been in contact.
- made a number of visits including at different times of the day to include meal times.
- left a letter requesting the parents/carers contact school.
- considered whether there is information to believe the child and family have simply moved away and the child is deemed 'CME'.
- discussed their concerns with Children's Services
The serious case review following the tragic death of [Chadrack Mbala Mulo](#) highlighted the need to escalate to Police where schools are concerned that a child may be in danger. When contacting the Police, the school should set out the steps they have undertaken to get sight of the child and the specific vulnerabilities of this child and/or family. Schools should describe the child as 'missing' and request Police urgently visit the property if they are concerned for a child's welfare and believe the child may be in danger or at risk. (Schools should proactively seek to give parents/carers the opportunity on admission and annually to disclose information about themselves that might be relevant to the care of their child and/or relevant when responding to an emergency).

In addition, the child's school record should contain:

- emergency details of three adults (friends/family/neighbours).
- known professionals' contact details.
- known access restrictions to the premises.



Jesus grew in wisdom and stature

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