

ANGLO EUROPEAN SCHOOL



ATTENDANCE AND PUNCTUALITY POLICY Main School

Approved by:	Full Governors
Date:	29 th June 2022
Review:	Every 3 years
Non-Statutory	

ATTENDANCE AND PUNCTUALITY POLICY

At the Anglo European School, we expect that all students attend school every day available to them. We expect them to arrive on time to school and be ready to learn.

Context:

High levels of attendance ensure that:

- every student has access to the full-time education to which they are entitled;
- students succeed whilst at school;
- students have access to the widest possible range of opportunities when they leave school;
- students' safeguarding, protection and welfare is promoted.

Aims:

- Improve students' achievements by ensuring high levels of attendance and punctuality.
- Create an ethos in which good attendance and punctuality are recognised as the norm and are seen to be valued by the school.
- Raise awareness of parents, carers and students of the importance of uninterrupted attendance and punctuality at every stage of a student's education.
- Work in partnership with students, parents, staff and the Local Authority that all students realise their potential, unhindered by unnecessary or persistent absence.
- Promote a positive and welcoming atmosphere in which students feel safe, secure and valued and encourage a sense of belonging so they want to attend school
- Establish an effective system of monitoring attendance to ensure no student slips through the attendance net, compromising their safeguarding and well-being
- To recognise and celebrate good or improving attendance

The Law

Under Section 7 of the Education Act 1996, parents are responsible for making sure that their children of compulsory school age receive full-time education. Parents have a legal responsibility to ensure their child's regular attendance at the school where they are registered. If a child of compulsory school age who is registered at a school fails to attend regularly at the school, then the parent is guilty of an offence under Section 444(1) of the Education Act 1996.

Since March 2001 there has been a further offence where a parent, knowing that his/her child is failing to attend regularly at school, fails without reasonable justification to cause him/her to attend (Education Act 1996, section 444(1A) as amended by the Criminal Justice and Court Service Act 2000). Any absence should be considered unauthorised unless there is a valid reason otherwise. Unauthorised absence at any level is considered unacceptable to both the school and the local authority.

Changes to the legal framework on authorising absence came into force from 1st September 2013. Headteacher may only grant up to 10 days leave of absence where it is deemed by the school that there are 'exceptional circumstances'.

The school will:

- Provide a positive learning environment, which values, challenges and supports every student through providing opportunities for them to achieve as their own individuals.

- Encourage good attendance by ensuring lessons are challenging, stimulating and rewarding for students, thereby leading to students wishing to attend.
- Promote parents/carers have the legal responsibility for ensuring their child's good attendance and punctuality, staff at AES will work together with parents, other professionals and agencies to ensure that all students are encouraged and supported to develop good attendance habits.
- Recognise that parents have a vital role and that there is a need to establish strong home-school links and communication systems that can be utilised whenever there are concerns surrounding attendance
- Examine attendance figures and set targets annually, reviewing these termly.
- Regularly review its system for improving attendance and punctuality and take account of changes in the Education Law.
- In line with recommended guidelines Attendance at 90% or below means that a student has fallen into what is called the Persistent Absentee (PA) Category, a criterion set by the Government. We will endeavour to reduce the number of students with persistent absence, (10% or above), as required by the Department for Education (DfE). The school will actively work with parents/carers and students, along with outside agencies and professionals to achieve the school targets in this regard and all PA students and their parents will be subject to a school-based attendance meeting where a plan will be written to support an improvement.
- The Attendance Manager, Year Leader and AHT (Behaviour and Attitudes) will monitor the attendance of all students on the registers, identify patterns in absence and intervene appropriately to address concerns, liaising with parents as the first point of contact on the first and subsequent days of absence.

Parents/Carers Responsibilities:

- Ensure their child/children regularly and punctually attends school, properly dressed, equipped and in an appropriate condition to learn.
- Inform the school of the reason for any absence before 9.30am each day by telephone 01277 354018 or by e-mail attendance@aesessex.co.uk citing the student's name, tutor group and the reason for absence.
- Work actively with school staff and the Attendance Manager to solve any problems which develop regarding attendance or punctuality.
- Provide the school with medical evidence when the school requires it due to their child/children being ill/having treatment e.g. appointment card, prescription, letter from a doctor, which the school will photocopy for their records. The school may usually only request medical evidence when the student's attendance percentage falls at 90% or below.
- Make application for a leave of absence at least two weeks in advance by the school via the "Application for Leave of Absence from school during Term Time" form on the website for each student, knowing this will only be granted in exceptional circumstances.

Types of Absence

AUTHORISED AND UNAUTHORISED ABSENCE

Authorised absence:

This is when a student has been away from school for a reason such as genuine illness or other unavoidable causes and the school have received notification from parents/carers; for example, if a student has been unwell and the parent telephones the school on the morning of the absence to explain the reason. Only the school have the power to make an absence authorised. Parents do not have this authority. Absence for the following reasons could be authorised and it is anticipated that parents will confirm their child's expected return day to school:

- Illness
- Medical/dental appointments which unavoidably fall in school time; you may be asked to provide medical evidence before it can be authorised

- Days of religious observance
- Exceptional family circumstances e.g. bereavement
- If permission for the absence has been granted in advance by the Headteacher e.g. authorised participation in a national sporting event, Music examination, or educational activity off site
- Transport arranged by the Local Authority (LA) has failed to arrive where the student lives beyond statutory walking distance
- A traveller family are travelling for occupational purposes

At AES, we interpret ‘exceptional circumstances’ as being of unique and significant emotional, educational or spiritual value to the child which outweighs the loss of teaching time (as determined by the Headteacher). The fundamental principles for defining ‘exceptional’ are events that are ‘rare, significant, unavoidable (an event that could not reasonably be scheduled at another time) and short’.

Unauthorised absence

This is when the school does not consider the absence to be reasonable and for which an unauthorised mark is given. These include parents keeping their child off school unnecessarily, absences which have never been explained or which no leave of absence has been granted by the Headteacher in advance. Parents/carers are required to contact the school on every morning their child is going to be absent unless told otherwise. Absence will be recorded as unauthorised when the school consider the reason for absence to be unacceptable. This could include the following, though this is by no means an exhaustive list:

- No good reason for absence
- Truancy during the school day
- Shopping
- Overslept
- Looking after siblings
- Missed transport (which does not include transport provided by the LA)
- Birthdays
- Day tips and holidays not authorised by the Headteacher
- Extensions to holidays to achieve cheaper flights
- Not enjoying a certain subject
- Where medical evidence has not been provided for physical or mental health and the level of the students absence is a concern

All unauthorised absence from school will be marked as an ‘O’ code. The local authority (Essex County Council) guidelines states that when a student has received 10 ‘O’ codes over a 10 week period the school can refer this and a fixed penalty fine will be issued. Therefore, it is important that students and parents are warned before the referral and that steps are made to ensure regular attendance. A warning letter will be sent to parents before a referral is made (see Appendix B). Unauthorised lateness (‘U’ code) to school is treated in the same way as unauthorised absence from school and both are subject to same criteria and fixed penalty fines.

All absences are reported to the DFE and authorised absences are noted by the local authority and reported to the DFE.

Managing Registration:

An electronic registration system is used. School staff will complete accurate registers at the beginning of each registration and lesson. AM registration begins at 8.55am each school day and Period 6 is used as PM registration. Registers close 30 minutes after these times.

Senior staff and Year Leaders will attend the school gate for latecomers after registration has started. If a student arrives after the student entrance is closed at 8.55am, they must sign in at Student Services or with staff at the gate and will be recorded as being late. The Attendance Manager will then enter them into the electronic registration system.

Students will be placed in late detention, which will be held during breaktime (11.10-11.30) the same day. Students arriving after the register has closed at 9.30am, without a valid reason provided by parents/carers, will be marked as an “unauthorised” late. Any student who arrives late to school three times in a cycle, will subsequently be expected to attend a 40 minute after school detention. Parents receive an email - ‘punctuality letter 1’ (see appendix D) to inform them of this. For students identified as persistently late, on their arrival, they can be given a same day after-school detention, with the parents’ prior knowledge of this system.

Monitoring Absence and Procedures to enforce attendance (see Appendix B)

The Attendance Officer will monitor all absence daily. They will record details of students who are absent, arrive late to school or go home early.

If an absence message has not been received by the school by 9.30am, the Attendance Manager will then contact the parents via ‘Truancy Call’ (an automated text service) to inform the parent of the absence and to establish the reason the student is not in school. Parents will receive a truancy call by 12:00 noon.

For each day a child is not in school the parent must inform the school of the child’s absence. For each day that the school does not receive notification of a child’s absence a truancy call text will be sent to the parent.

If student absence is becoming a concern, the Year Leader will consult with the Form Tutor and will agree on who is best to speak to both the child and the parent/carer. If the problem persists the Attendance Manager, in liaison with the Year Leader will send out a letter regarding poor attendance and punctuality. (Letter 1). This letter will be agreed with Assistant Headteacher (Behaviour and Attitudes) using PAUL report data and data from SIMs.

The Year Leader, in liaison with the AHT (Behaviour and Attitudes) will follow up any unexplained or unexpected absences and establish a reason, with evidence for the students’ absence with the parents and student.

If a student’s attendance has been identified as a continued cause for concern, the Year Leader will ask the parents/carers to provide the school with appropriate medical evidence for absences, in the form of either of the following:

- Appointment card/letter (for absence of part or a whole day)
- Photocopy of prescription from GP or pharmacy
- Letter from GP

If there is an extensive period of absence due to medical reasons, the Year Leader may ask for the permission of the parent to contact the student’s GP to confirm that the medical condition prevents the student from attending school and to establish a possible return date for the student.

If no further progress is made, Letter 2 is issued inviting parents to attend a School Attendance meeting (SAM) to discuss the issue further and set agreed target for progress with identified support to achieve this. If the parent fails to attend the meeting, the meeting will take place in their absence and they will receive a letter detailing the plan of action to improve attendance. This letter will be followed by a warning letter giving information on a penalty notice should absence continue. This letter is a template letter from the LA.

When all routine procedures have failed and attendance continues to be a concern, a referral to the LA to enforced Attendance Compliance law will be made. The school may issue a further letter to inform parent of the referral. The Local Authority may issue each parent with a Penalty Notice for £120, reduced to £60 if paid within 21 days or referring the matter to the Magistrate Court whereby each parent may receive a fine of up to £2500 and/or up to 3 months in prison. If the parent is found guilty in court, they will receive a criminal conviction.

Year Leaders meet each cycle to review attendance with the AHT (Behaviour and Attitudes) to monitor individual students' attendance data and record actions implemented to promote better attendance.

Promoting Good Attendance:

- AES promotes good school attendance at parents' information evenings, on the school bulletin, via assemblies and tutor time.
- School credits are awarded to students for consistent and improved attendance at the end of each half term: 5 credits for 100% and 1 credit for 95%
- Students who achieve 100% attendance or show significant improvement in attendance each term receive a letter home from the Assistant Headteacher with oversight.
- Students who achieve 100% attendance for the whole year are recognised at Awards Evenings and in end of term assemblies with certificates and a book voucher.

LONG TERM ABSENCE AND RETURN TO SCHOOL

Where appropriate, teachers may arrange for work to be sent home during the absence period, where medical evidence is supplied to confirm that the student cannot attend school but is well enough to complete work from home.

This will be organised by the Year Leader. Students who have enforced long periods of absence from school, for whatever reason, need their return to school managed carefully. A re-integration period may be required and the Year Leader may meet with parents and the student before the student returns to discuss any worries they may have about returning to school.

A phased return may be agreed but only with the agreement of the Headteacher.

Parents who apply for leave of absence

Taking holidays in term time affects student's schooling as much as any other absence and we expect parents to help us by not taking students away in school time. Parents should not take their children out of school (other than for medical reasons) in term time. However, parents are able to request up to 10 days leave of absence in any one school year. This will only be granted in exceptional circumstances. The Headteacher will decide whether there are exceptional circumstances. This is not a legal right and in deciding whether or not to authorise the absence, the Headteacher will give consideration to the following:

- The child's attendance record;
- The child's academic progress and the nature of the activities the child will miss;
- The relevance of the absence to a child's progress, culture, educational worth and impact on the child
- Whether the absence could reasonably take place during the 175 days in the year that the school is closed.

The nature of education at the AES means that children are often required to be out of school because of our international visits programme and other activities. The Headteacher will be reluctant to authorise additional absence because of this unless there are deemed to be exceptional circumstances. We require 10 school days' notice for leave of absence.

Leave of absence will **not** be authorised if:

- It has already occurred and application is made retrospectively
- A child's overall attendance is less than 95%;

- Requested during an examination or test session;
- The absence means that a child will have taken more than 10 days' holiday;
- It is for a holiday that could reasonably be taken during school closure;
- It is for the purposes of gaining cheaper travel arrangements
- There are any concerns over a child's effort, behaviour or progress;
- It is for spectating at music or sporting events.

If the absence is not authorised by the Headteacher but is taken anyway, the school will reserve the right to refer the case to the local authority who will issue as a fixed penalty fine to each parent for each child that is out of school.

Enforcing Punctuality Procedures:

All students are registered in school using SIMS. The teacher must take the register at the start of the lesson and ensure they have made a visual check that students are present. If a student arrives after the register has closed the teacher should ensure that the student has registered with the Attendance Manager.

School begins each day with registration which starts at 08.55. The register is closed once the teacher has finished taking the register. Students arriving in school after 08:55 will enter school via the Late gate next to C Block. Late students will receive a detention which will be issued by their Year Leader or member of SLT at the gate.

Only the Headteacher can authorise lateness to school and ultimately any contested late marks will have to be authorised by the Headteacher. If there is a legitimate reason for lateness, then a 'L' code will be entered in the register. If there is no good reason for lateness then a 'U' code will be entered as this is unauthorised lateness to school.

The Achievement Team will continue to update registers throughout the morning session indicating either 'L' codes or 'U' codes. All unauthorised lateness to school will be marked using a 'U' code. The local authority guidelines state that when a student has received 10 'U' codes over a 10-week period the school can refer this and a fixed penalty fine will be issued. Therefore, it is important that students and parents are warned before the referral and that steps are made to ensure punctuality to school. A warning letter will be sent to parents before a referral is made.

Lateness is closely monitored by the Achievement Team using SIMS and the PAUL (Punctuality, Attendance, Uniform and Low Level Behaviour) report. The PAUL report is shared with the Achievement Team, Heads of Department and SLT on a fortnightly basis. This report indicates lateness both to AM registration and to lessons. Those students who are a concern regarding lateness will be placed on a punctuality report. If this is unsuccessful the Year leader will meet with parents to share concerns and share support strategies and engage with external professionals as necessary. The student will have to sign in with the Achievement Team each day until a noticeable improvement has been made (See Appendix B).

REMOVAL FROM THE SCHOOL ROLL

This should be instigated by the Assistant Headteacher, with the Headteacher's approval, in liaison with the Attendance Manager and the Admissions Officer, in the following circumstances:

- The school has received confirmation from another school that the student has transferred to them.
- The student's parents have advised in writing that they are withdrawing their child from the school roll in order to home educate them or as a result of them moving home/school
- The student has ceased to attend the school and no longer lives or boards within travelling distance of the school. They can reapply for a place but it would be subject to places being available.

- A certified Medical Officer has confirmed that the student's health means they will not return to the school before reaching the end of their compulsory school age.
- Permanent Exclusion: The LA will be made aware of such a removal from roll.

In order to remove a student from roll, parents/carers are required to inform the school in writing. The Admissions Officer will complete an on-line form (Statutory Notification of Admission/Deletion to/from LA School Roll) and send a copy to the Attendance Manager, Designated Safeguarding Lead and Headteacher

Appendix A

Roles to Ensure Attendance:

Student

1. To come to school each day and be punctual.

Parent/s

1. To ensure students attend school unless there is a valid reason.
2. To inform the school on the first day and subsequent days of their child's absence.
3. To provide the necessary evidence as to why their child cannot attend school.
4. To inform the school at least ten days in advance of any requested absence (e.g. Leave of absence, medical appointments etc).
5. To attend meetings about their child's attendance.

Form Tutor

1. To ensure familiarity with the attendance procedure by reading the policy, the staff handbook and speaking with the Year Leader.
2. To keep an up-to-date, accurate register on SIMS.
3. To ensure that students maintain a good punctuality record by making reference to the PAUL report and the Year Leader.
4. To identify patterns of absence and having the initial dialogue with the student and parents.
5. To support attendance and punctuality through the Form Tutor report.
6. To support students re-integration back into school after absence.

Subject Teacher

1. To ensure that attendance is monitored in lessons by taking an electronic class register on SIMS.
2. To provide work for absentees if requested.
3. To ensure that work is copied up on a student's return to school.

Pastoral Manger/Attendance Manager

1. To ensure late students are recorded as such on the register.
2. To record onto the register the communications from parents regarding reasons for absence and to make the Year Leader (in the first instance) aware of any absences which might not be authorised.
4. To process leave of absence forms, passing them to Year Leaders who then pass them to the Headteacher.
5. To confirm the absence of any students who are not on the register and for whom we have received no notification of absence from parents.
6. To manage Truancy Call and contact parents of such students to ascertain the reason for absence / make them aware of the absence.
7. To chase up students who were absent or have missing marks for the PM session.
8. To identify any patterns of absence during the day (e.g. students missing from any individual lessons).
9. To send messages on SIMS to teachers who haven't taken registers.
10. To make SLT aware of any member of staff who persistently fail to take registers.
11. To make reference to the PAUL report and liaise with the Year Leader about concerns.

Year Leader

1. To ensure AM registers are taken by tutors.
2. To review attendance and punctuality data using the PAUL report with Assistant Headteacher (Achievement).

3. To make appropriate interventions to ensure high attendance including: sharing attendance data with tutors, identifying students to receive attendance letters, having meetings with parents and students with repeatedly low attendance.
4. To gather additional information from parents to be put on leave of absence forms if necessary.
5. To recommend to the Headteacher, whether leave of absence forms should be approved or not approved, and to give reasons.

Assistant Headteacher

1. To review attendance data with Year Leaders and SLT using SIMS and the PAUL report.
2. To make appropriate interventions to ensure high attendance including: sharing attendance data with Year Leaders, identifying students to have school-based meetings, attending school-based meetings and working in conjunction with Year Leaders with students who are persistent absentees and with their parents.
3. To make and manage referrals to the Essex LA Attendance Specialist Team.

Role of the Headteacher

1. To monitor attendance levels and take such remedial action as may be necessary.
2. To report attendance figures to the DFE.
3. To authorise absence following requests for leave.

Appendix B

Interventions

Punctuality and Attendance

Concern	Action
1 st Punctuality concerns raised during YL/AHT meeting.	Punctuality report to FT. YL contacts parent to share concern.
2 nd Punctuality concerns raised during YL/AHT meeting.	Punctuality report and parent letter 1. Student signs in each morning in Student Services.
3 rd Punctuality concerns raised during YL/AHT meeting.	YL/FT and/or AHT parent meeting. Punctuality report.
4 th Punctuality concerns raised during YL/AHT meeting.	Referral made to Essex LA Attendance Specialist Team. Punctuality report.
1 st Attendance concerns raised during YL/AHT meeting.	YL or FT contacts parent to share concern
2 nd Attendance concerns raised during YL/AHT meeting.	Attendance letter 1 sent to parents.
3 rd Attendance concerns raised during YL/AHT meeting.	Attendance letter 2 sent to parents. YL/FT conduct School Attendance meeting (SAM) and report is given to parent supporting attendance.
4 th Attendance concerns raised during YL/AHT meeting.	Essex LA Attendance Specialist Team template warning letter sent to parents regarding O codes and fixed penalty fine.
5 th Attendance concerns raised during YL/AHT meeting.	Referral made to Essex LA Attendance Specialist Team. Alternative provision/intervention/use of School Attendance specialist at LA is considered.

Appendix C

Key to Codes used in registers

/	Present (AM)
\	Present (PM)
B	Educated off site (not Dual reg.)
C	Other authorised circumstances
D	Dual registration (attending other estab.)
E	Excluded (no alternative provision made)
G	Family holiday (not agreed or days in excess)
H	Family holiday (agreed)
I	Illness (not med/dental appointments)
J	Interview
L	Late (before registers closed)
M	Medical / Dental appointments
N	No reason yet provided for absence
O	Unauthorised Abs (not covered by other code)
P	Approved sporting activity
R	Religious observance
S	Study leave
T	Traveller absence
U	Late (after registers closed)
V	Educational visit or trip
W	Work experience
#	Planned whole or partial school closure
Y	Unable to attend due to exceptional circumstances
X	Non-compulsory school age absence /Covid related absence due to isolation pending a PCR test
Z	Pupil not on roll
-	All should attend / No mark recorded

Appendix D

Letter 1 – Punctuality Letter 1 :

Dear parent

Re: Student Name DOB:

It has come to my attention that XXXX has been late to school xxx times this academic year. All students are expected to arrive to school before 8.55am.

I would be grateful if you could discuss this with XXXX and the importance of arriving to school on time. I look forward to seeing an immediate improvement in XXXX's punctuality.

We also have a duty to remind you that parents/carers have a responsibility to ensure their children receive efficient, full-time education under section 7 of the 1996 Education Act. Failure to do so can lead to prosecution by the Local Authority in the Magistrates Court under section 444 of the 1996 Education Act.

Please find enclosed XXXX attendance certificate for your information.

Yours sincerely,

Year Leader

Letter 2 – Punctuality Letter 2 :

Dear parent

Re: Student Name DOB:

We are writing in connection with XXXX's punctuality. XXXX has been late on XXX occasions, equating to approximately xxx hours of school time. Should their punctuality not improve, it will have a negative impact on XXXXX's attainment.

All students on roll at our school are expected to arrive at school no later than 8.55am ready to start the school day. Children arriving after 8.55am are marked using a 'L' code which marks them as present for safeguarding purposes. Should they arrive after 9.30am, they are marked with a 'U' code which is recorded as unauthorised absence for that session. Should a child receive 10 U codes in 10 weeks, the parents of that child can be fined by the local authority.

Furthermore, students arriving late to school cause disruption to their learning as well as others, the teacher and their teaching, which is unacceptable and can be upsetting for them and their classmates.

As such, we are writing to inform you that we will be monitoring XXXX's punctuality and expect to see an improvement in the coming weeks. If XXXX's punctuality fails to improve, a meeting will be arranged, which you will be expected to attend either on line or by prior arrangement. At this meeting, the reasons and any concerns will be discussed to establish if there is any support that can be put in place.

We also have a duty to remind you that parents/carers have a responsibility to ensure their children receive efficient, full-time education under section 7 of the 1996 Education Act. Failure to do so can lead to prosecution by the Local Authority in the Magistrates Court under section 444 of the 1996 Education Act.

We want to work collaboratively with parents/carers to ensure the best outcomes for our children and are appreciative of your support on this matter. If you do have any concerns, or wish to discuss this letter further, please do not hesitate to contact the school to arrange a meeting.

Please find enclosed XXXX attendance certificate for your information.

Yours sincerely

Year Leader

Attendance concern – Letter 1

Dear Parent name

Re: Student Name - DOB

We are writing in connection with xxxx attendance. He/She has had xxxx sessions, equating to xxxx days absence this academic year. His/Her attendance is therefore xxxx. As a result, he/she has lost xxxx of hours learning. XXXX attendance is therefore a concern.

We expect children to attend every session available to them in order to benefit from the educational opportunities provided. As such, we are writing to inform you that we will be monitoring XXXX attendance and expect to see an improvement. We also have a duty to inform you that should your child miss 10% or more of the sessions available to them (attendance of 90% or below), they are classed by government as a persistent absentee.

Should XXXX attendance not improve, a school attendance meeting will be arranged which you will be expected to attend. At this meeting, we will discuss together any concerns and establish if there is any support that can be put in place.

I would like to remind you that parents/carers have a responsibility to ensure their children receive efficient, full time education under section 7 of the 1996 Education Act. Failure to do so could result in prosecution by the Local Authority in the Magistrates Court under section 444 of the 1996 Education Act for failing to ensure regular school attendance at school.

We want to work collaboratively with parents/carers to ensure the best outcomes for our children and are appreciative of your support on this matter. If you do have any concerns, or wish to discuss this letter further, please do not hesitate to contact the school to arrange a meeting.

Please find enclosed XXXX attendance certificate for your information.

Yours sincerely

Year Leader Name

School Attendance meeting – Letter 2

Re. Student Name – DOB:

School Attendance meeting

Further to our earlier correspondence (date), whereby we informed you that xxx attendance had fallen below the school's expectations, it has been noted he/she has had a further xxx sessions absence. Please find enclosed a copy of his/her attendance record.

Attendance at this level is a significant concern, and as such a meeting has been arranged for XXXXXX at 8.15am to discuss this with you. If you are unable to attend on this date, please contact the school as a matter of urgency to arrange a mutually convenient time. Should you fail to attend this meeting, it will be held in your absence and the notes will be sent to you. This meeting is an opportunity to discuss any concerns, look at support and develop an action plan in order to encourage improved attendance.

I must remind you that parents/carers have a responsibility to ensure their children receive efficient, full time education under section 7 of the 1996 Education Act. Failure to do so could result in prosecution by the Local Authority in the Magistrates Court under section 444 of the 1996 Education Act for failing to ensure regular school attendance.

We want to work collaboratively with parents/carers to ensure the best outcomes for our students and appreciate your support in this matter. Our aim is to ascertain how we can best support you as a parent and support your child in achieving their potential in our school. Our meeting will ensure that we can continue to work together to achieve those aims.

Please find enclosed XXXX attendance certificate for your information.

We look forward to meeting with you and thank you for your anticipated support.

Yours sincerely

Year Leader

Letter 3: Essex LA Attendance warning letter before referral

PENALTY NOTICE / LEGAL ACTION WARNING

Dear

Pupil's name: **D.O.B:**

It is noted that you are the parent of, or have day to day care of , a child who is a registered pupil at this school and is not in regular attendance as required by the Education Act 1996, Section 7.

 has been recorded as having school sessions (equivalent to school days) lost due to unauthorised absences between the dates of and .

It is recommended that you take immediate steps to ensure that the child named above attends school regularly. If this is not achieved and there are further unauthorised absences a referral will be made to the Missing Education and Child Employment Service and you may be prosecuted in the Magistrates Court under section 444 of the Education Act 1996 for failing to ensure regular attendance at school. However, depending upon the circumstances, you may be provided with an opportunity to discharge the offence by paying a penalty notice which imposes a fine of £60 if paid within 21 days, rising to £120 if paid between 22 days and 28 days. Should you fail to pay within the prescribed timescales, you will be prosecuted for the original offence.

Please note: If you have previously been the subject of a prosecution for any child in relation to irregular school attendance and the attendance of does not improve to a satisfactory level immediately, you may be required to attend a formal pre-court interview. This interview will be carried out under caution to investigate the circumstances.

When deciding upon the most appropriate action, the Local Authority has a duty to consider if the making of an Education Supervision Order would be appropriate. If an assessment of the situation indicates that this may be appropriate, and no improvement is achieved, you may be invited to a pupil planning meeting.

It is important for you to note that the above absences may be included if any further action is taken against you.

Another parent/carer or someone with day-to-day responsibility regarding the above named child may have also received this letter. Each adult holds separate responsibility and will also be required to take appropriate action to ensure there are no further unauthorised absences.

Further information on school attendance and Essex County Council's policies may be found at www.essex.gov.uk. Should you have any queries or wish to discuss your child's attendance, please contact the school.

The attached 'Legal information for Parents and Carers' provides you with further information on legal proceedings in relation to irregular school attendance.

Yours sincerely,

D Priestley
Assistant Headteacher

School Attendance Information from Missing Education & Child Employment Service

Legal information for Parents and Carers

The Education Act 1996

By law – all children of compulsory school age must receive an appropriate full time education suitable to their age, ability, aptitude or any special educational needs they may have. The school starting date is the beginning of the term after which the child reaches their 5th birthday. The school leaving date is the last Friday in June of the academic year in which the child reaches their 16th birthday.

Parents / Carers – are responsible for

- registering their child at a school or making other arrangements which provide an efficient education
- ensuring their child attends school regularly at the school at which they are registered
- applying for a planned absence of leave from school
- notifying the school when their child is absent unexpectedly

Schools – must either

- give permission for your child to be absent from school and mark the absence as authorised
- or**
- mark the absence as unauthorised

The Law – says that parents/carers whose children are absent from school without good reason are committing an offence

Next steps

If your child accrues further unauthorised absences, a referral may be made to the Missing Education and Child Employment Service. Depending upon the circumstances, one, or a combination, of the following may be initiated:

Invited to attend a meeting

You may be invited to attend a meeting convened by an Officer from the Missing Education and Child Employment Service. At the meeting you will be formally cautioned and provided with an opportunity to provide details and supporting evidence in your defence.

Issued with a Penalty Notice

You may be issued with a penalty notice. Penalty notices are issued to each parent for each child for the sum of £60 to be paid within 21 days. If the penalty is not paid within this time it will increase to £120 which must be paid within the following 7 days (a total of 28 days from issue). If the higher payment is not paid the Missing Education & Child Employment Service will instigate legal proceedings. There is no right of appeal and payment will not be accepted after the 28th day.

Prosecution

Depending upon the circumstances, a prosecution may be initiated without a penalty notice being issued first, or if you have failed to pay a penalty notice. Prosecutions take place in the magistrate's court under section 444(1) of the Education Act 1996. This offence carries a fine of up to £1000 for each parent.

Or

In the magistrates court under section 444(1A) of the Education Act 1996. This offence carries a fine up to £2,500 and/or a 3 months custodial sentence for each parent if it is found that you knew about your child's absences and failed, without reasonable justification, to ensure attendance.

If you fail to attend court for the hearing the matter may either be dealt with in your absence or, occasionally, a warrant issued for your arrest. If found guilty, the magistrates will sentence you in accordance with their sentencing powers.

The magistrates may also consider imposing a Parenting Order which consists of two elements: a core element requiring the parent to attend guidance sessions to help them in dealing with their children and a control element requiring a parent to exercise control over ensuring attendance and communicate with the relevant authorities

Education Supervision Order (ESO)

If the Local Authority assess that an Education Supervision Order is the most appropriate course of action, an application will be made through the family court under the Children Act 1989 section 36. Such an order placed upon your child allows a supervising officer, appointed by the court, to provide advice, guidance and give directions to you and/or your child aimed at ensuring regular school attendance. If you do not comply with a reasonable direction you may be prosecuted for breaching the Order and you may also be prosecuted for failing to ensure regular school attendance

Defences to non-school attendance

The legal reasons (defences) for non-school attendance are –

- the child is prevented from attending school due to sickness or other unplanned or unavoidable causes
- the child is absent due to a day of religious observance in the parent's/carer's religion
- the school has granted and authorised the leave

- the child lives more than 2 miles if under 8 years or 3 miles if over 8 years from the school and the local authority has failed to provide transport.

It is not a defence where parents have chosen to register a child at a school outside the catchment area and no transport has been provided.