



WELLFIELD MIDDLE SCHOOL

ATTENDANCE POLICY

Introduction

This policy aims to set out how we as a school deal with the various aspects of attendance including the day to day administrative procedures and ways in which attendance is monitored. This policy document is useful for staff, in particular form tutors, governors and admin staff in school, especially those with responsibility for the recording of attendance data, and inspectors.

Daily Procedures

Attendance of pupils is formally recorded at the start of each session, each day. The form tutor or teacher will note attendance of pupils in the time set aside for registration at 8-55 am and 1.05pm. The registration of pupils is completed on the electronic SIMs system. Paper copies are available from the office if necessary.

The information from the paper copy is transferred to electronic format on the SIMs system by the school secretary. Data collected and stored in SIMs is used as required to generate updates on attendance for staff and governors. Staff will complete registration in accordance with Local Authority agreed codes. A copy of these codes can be found in appendix A.

Pupils who are absent

Parents are expected to inform the school of any absence before 8.45am each day. Any contact from parents and carers is recorded on SIMs. If a pupil is absent from school with no explanation the school office staff will contact the parents in the morning to seek an explanation. If we are unable to make contact with parents and carers the school will follow necessary safeguarding procedures.

Monitoring and checking

A senior member of staff will be responsible for the regular monitoring of attendance. Working closely with school attendance support Assistant and the school office manager, patterns of absence will be scrutinised. Any issues will be identified and clarified. Liaison will take place with the child's form teacher in order to determine if a problem exists with a particular child and to decide on the next stage of action.

In addition the senior member of staff will work closely with the data manager to provide data tracks which will give information to SLT and form tutors mapping pupil attendance over the academic year.

Use of Rewards

We recognise as a school the importance of praise, reward and encouragement in achieving the best standards from all our pupils.

The highest class attendance in each year group is celebrated in assembly on a weekly basis.

At the end of each term the highest attenders are presented with a certificate and at the end of the year pupils are awarded with medals. All celebrations are shared in school newsletter and website.

What action will be taken?

Staged Response

Once a concern has been identified we have adopted a staged response to try and improve the attendance.

The staged response includes:

- First day response
- Discussion about attendance with the pupil (if age appropriate)
- Contact with the parent by telephone or letter to ensure they are aware of attendance concerns
- An invitation for the parent to meet with the Head Teacher/senior member of staff to discuss attendance concerns
- Request medical information from parents and where appropriate advise that further absences will not be authorised without provision of notes from a health care professional
- Support from School Governors.
- Referral to outside agencies where appropriate.

SLT oversee attendance matters and our Inclusion Manager and Support Assistance address any attendance concerns in the first instance.

Prior to referral to the Attendance and Placement Team for legal action, there is a mandatory requirement that the school has in place:

- Fully investigated the reasons for absence
- Met with parent(s) – by home visits and/or in a meetings at school
- Implemented strategies to improve attendance, and provide evidence of this
- Considered and completed an Early Help Assessment (EHA) where appropriate
- Informed parents in writing that a referral is being made to the Local Authority requesting formal legal action, and that ultimately this may lead to the issue of a Penalty Notice fine or prosecution in the Magistrates Court.

Referral to the Local Authority for legal action

Referral Documents

The information on the referral and the accompanying documents will form the basis of any legal action and must therefore be accurate and as comprehensive as possible. The register, which is a legal document, will accurately reflect the absences and the appropriate code used where the absences are authorised. The 'N' code should not be left on a pupil's register indefinitely; if no reason for the absence is provided (or is provided but not accepted) after a reasonable amount of time, it should be replaced with the 'O' code.

Informing parents

The parent must have been informed by the school in writing that a referral is being made to the Local Authority for legal intervention.

Under education law (section 576 of the Education Act 1996) a parent is defined as all natural parents, whether they are married or not and includes any person who, although

not a natural parent, has responsibility for the care of a child or young person. This means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in Education Law.

Criteria for a referral

Before making a referral the school must ensure there are a minimum of 10 sessions of unauthorised absence in the past 12 weeks. The period of the offence when the non-school attendance occurred must cover between 6 and 12 school weeks. 12 weeks can be a more realistic timeframe in showing a range of attempts to work with the family.

Action following a referral

Referral Review

Once a referral requesting legal intervention has been received, a member of the Attendance and Placement Team will contact the school within 5 school days to discuss the referral documentation provided. The Attendance and Placement Team would check for the evidence required to take a case further.

If all of the information meets the requirements for formal action, the Attendance and Placement Team will initiate the formal process. However, the process can be suspended should any new evidence be brought to light at any point and the matter will be referred back to the school for further investigation and action.

Please note that information contained in the referral will be shared and discussed with the parent, and could be used as evidence in court.

Our school will commence close monitoring of the pupil's attendance over the next 4 weeks. During this period we will continue to keep accurate written records of any further contacts, meeting, interventions etc as this information will be included in any potential legal proceedings.

Outcome

At the end of the 4 week period the Local Authority will make a decision on the case with one of the following outcomes:

- No further action
- Penalty Notice
- Prosecution in Magistrates Court

The Attendance and Placement Team will notify the school of the Local Authority's decision and discuss any actions the school needs to take as a result.

No further action

The expectation is that the child will achieve a minimum of 95% attendance during the 4 week period. If this is the case, demonstrating that an improvement has been made, the Local Authority may decide not to take any further action. This does not prevent the matter being re-referred by school at a later date if there is deterioration in attendance.

If the attendance falls below the target of 95% but the absences have been authorised by the school, no further action against the parent can be taken. The school will be informed of the reasons behind the decision not to progress the case further and the matter is then dealt with via the usual school procedures.

Penalty Notice Warning

In cases where a child's attendance has failed to meet 95% target the parent will be issued with a Penalty Notice Warning and the process will be repeated with immediate effect. This will give the parent the opportunity to sustain the improvement in attendance and achieve the attendance target required resulting in no further action being taken by the LA.

Penalty Notice

The processes and requirements for the issuing of Penalty Notices are described in the Local Authority's Code of Conduct. Penalty Notices can be issued for poor school attendance, unauthorised leave of absence in term time (holidays) or when excluded pupils are found present in a public place.

Penalty Notices in relation to poor school attendance were introduced in Sections 444A and 444B of the Education Act 1996 (introduced by section 23 of the Antisocial Behaviour Act 2003). If a parent is issued with a Penalty Notice, they may discharge potential liability for conviction for an offence under section 444(1) by paying a penalty.

The fixed penalty is £60 if paid within 21 days, or £120 if paid between 21 and 28 days. A Penalty Notice will be issued to each parent of a child. If the Penalty Notice is paid, the case will be closed to the Attendance and Placement Team and subsequent unsatisfactory attendance dealt with as per the usual school procedures.

However, if the Penalty Notice is not paid, the case may proceed to the Magistrates Court for the prosecution of the original offence of failure to secure the child's regular attendance at school. The Local Authority will issue a letter to parents informing them that the Notice has not been paid and that the matter will proceed to court. The Attendance and Placement Team will collate school witness statements and evidence for the prosecution and liaise with Legal Services.

The Attendance and Placement Team will offer schools support and guidance on preparing a witness statement and the exhibits to be put into evidence based on the information provided by school at the point of referral, and any subsequent information from the 4 week monitoring period.

The Local Authority issues all Penalty Notices and monitors their payment in accordance with the Penalty Notice Code of Conduct. Schools will be informed by the Attendance and Placement Team whether payment has been made or not.

Prosecution in Magistrates Court

'There are two offences relating to parental responsibility for ensuring regular attendance at school or alternative provision:

1. If a registered pupil is absent without authorisation from school or alternative provision then the parent is guilty of an offence under section 444(1) of the Education Act 1996.
2. If the parent knows that his child is failing to attend regularly at the school and fails to cause him to do so, he is guilty of an offence under section 444 (1A) of the Education Act 1996.

Please see appendix 5 which explains the statutory defences to the offence.

If the parent pleads not guilty to the offence, the matter will be listed by the court for trial, and all witnesses will be required to attend court on that day.

Magistrates Court Summary of Penalties

The range of options available for magistrates following a conviction for failing to ensure the child's regular school attendance are listed below.

Under section 444(1) Magistrates are empowered to:

- fine the parent up to £1,000
- give the parent a Conditional Discharge which means there will be no sentence if their child's attendance remains at an acceptable level for a specified period (usually 6 or 12 months), however if the parent is convicted of a further offence during this time the Court will take the previous offence into consideration
- issue the parent with a Community Order
- issue the parent with Parenting Order requiring them to attend a parenting group
- give the parent an Absolute Discharge, which means they have been found guilty and have a criminal conviction but receive no penalty
- direct the Local Authority to make an application for an Education Supervision Order

Under section 444(1A) Magistrates are empowered to:

- fine the parent up to £2,500
- impose up to three months imprisonment
- give the parent a Community Order
- give the parent a Parenting Order
- give the parent an Absolute Discharge
- direct the Local Authority to make an application for an Education Supervision Order

Although a fine is an option for the magistrates, the ability to pay a fine is means tested. Magistrates may also order the parent to pay costs to the Local Authority.

Role of Form Tutor/Class Teacher

The class teacher (Form Tutor) will be responsible for :

- Accurate daily record keeping in line with the requirements of this policy.
- Receiving and filing all absence notes for the academic year to which they apply
- Liaising with other staff where necessary regarding attendance – SLT member responsible for attendance, KS Manager, School Secretary.
- Liaising with parents where necessary, especially where attendance is at the slight concern level.
- Actively encourage ethos of good attendance in form group.

Role of Subject Teachers

- Organise work for pupils who may be away from school for some time
- Enable pupils to catch up upon return to school

Role of Senior Leadership Team member responsible for attendance

- Scrutinise patterns of attendance with school secretary and teacher with responsibility for assisting with attendance matters.
- Proceed with agreed actions.
- Send out letters as appropriate
- Monitor progress of absent pupils using school tracker
- Liaise with class teachers as appropriate
- Keep Headteacher informed of issues relating to attendance
- Develop data tracking with data manager
- Keeping a record of which pupils in their class are SEN (including SA and SA+), FSM, and G+T (to assist with monitoring of attendance according to different groups of pupils)

Role of teacher assisting with attendance issues.

- Assist in collection and scrutiny of absence data

- Assist with agreed actions
- Organise awards for good attendance

Role of School Office Manager

- Keep an accurate electronic record of attendance
- Note calls from parents about reasons for absence
- Contact parents of an absent pupil on the first day of absence when required
- Undertake all administration regarding attendance.
- Prepare data on attendance for governors
- Assist in scrutiny of absence data

List of appendices

Appendix A – official codes to be used on all registers by class teachers

Appendix B – copies of letters sent to pupils

This policy was last reviewed in 2019

This policy to be reviewed on

Signed

Headteacher

Date

Signed

Chair of Governors

Date
