Approved by ELA Trust/Committee:	Date & min ref
Publication Date:	August 2024
Owner/Reviewer	CEO
To be reviewed:	July 2027
Location:	Website
Impact assessed:	

Attendance and Punctuality Policy

Mission Statement

To inspire our family of schools to provide opportunities for our pupils, staff and leaders to be the best they can be; to create a passion for lifelong learning; to enable our pupils to become kind, confident and impactful world citizens.

Contents

1. ELAT Guiding Principles: Attendance and Punctuality Expectations
2. School Attendance and the Law
3. ELAT Attendance and Punctuality Staffing / Contact Information
    a. ELAT Senior Leadership Team Attendance and Punctuality Champions
    b. ELAT Education Welfare Officers
    c. ELAT Attendance Team Contact Information
4. ELAT Common Attendance Practices
5. ELAT Common Punctuality Practices
6. The School Day
    a. ELAT Secondary School Day
        i. Hall Mead School
        ii. The Brittons Academy
        iii. Bower Park Academy
    b. ELAT Primary School Day
        i. Hacton Primary School
        ii. Ardleigh Green Infants School
        iii. Ardleigh Green Juniors School
7. ELAT Registers
8. Closure of Registers
9. Register Reviews
10. Absences
    a. What constitutes 'authorised' or 'unauthorised' absences?
        i. Authorised Absences
        ii. Unauthorised Absences
    b. First Day of Absence
    c. Unexplained Absence
    d. Appointments
    e. Reporting an Absence
    f. Returning to School
    g. Frequent / Persistent / Severe Absence
    h. Providing additional support for pupils with medical conditions or SEND
11. ELAT Common Approaches for Frequent / Persistent / Severe Absence
12. Exceptional Leave of Absence
13. Fines / Fixed Penalty Notice
14. Celebrating Attendance and Punctuality
15. Time Limited Phased Return
16. Mechanisms of Support
17. Working Together with the Local Authority (LA)
18. Appendix
    a. Sample Attendance Parenting / Carer Contract
    b. Sample Exceptional Leave of Absence Request
    c. Education Supervision Orders (EWO)
    d. Key Signposting
    e. Attendance Codes, Descriptions and Meanings
    f. Attendance Codes, Descriptions and Meanings, from 19th August 2024
    g. Fines / Fixed Penalty Notice
    h. Legal Intervention Routes
    i. NHS Guidance: Should I keep my child off school?
    j. National Framework for Penalty Notices

1. Empower Learning Academy Trust Guiding Principles: Attendance and Punctuality Expectations

Empower Learning Academy Trust (ELAT) recognises the importance of excellent attendance within our wider school culture. As a Trust, we are committed to working in partnership with families to find supportive routes to improve attendance. For a pupil to reach their full educational achievement, a high level of school attendance and punctuality are essential. We will consistently work towards a goal of 100% attendance and punctuality for all pupils and every opportunity will be used to promote to pupils and their parents/carers the importance of regular and punctual attendance.

Pupils' attendance is subject to legislation and the ELAT Attendance Policy is written to reflect this and the guidance produced by the Department of Education. The DfE Guidance on school attendance can be found at:
https://assets.publishing.service.gov.uk/media/65f1b048133c22b8eecd38f7/Working_together_to_improve_school_attendance__applies_from_19_August_2024_.pdf
Each year, each academy, as part of its school improvement priorities, will examine its attendance and punctuality to ensure that it is improving and achieving its set goals.

2. School Attendance and the Law

New legislation was passed, The School Attendance (Pupil Registration) (England) Regulations 2024 which introduced a National Framework in England. By law, all children of compulsory school age must receive an appropriate full-time education (Education Act 1996). Parents/carers have a legal duty to ensure their child attends school regularly at the school at which they are registered.

Parents may be recognised differently under education law, then under family law. Section 576 of the Education Act 1996 states that a 'parent', in relation to a child or young person, includes any person who is not a parent (from which can be inferred 'biological parent') but who has parental responsibility, or who has care of the child.

A person typically has care of a child or young person if they are the person with whom the child lives, either full or part time and who looks after the child, irrespective of what their biological or legal relationship is with the child.

3. ELAT Attendance and Punctuality Staffing/Contact Information

a. ELAT Senior Leadership Team Attendance and Punctuality Champions

Hall Mead School	Nicola Afteni	Deputy Headteacher
The Brittons Academy	Eugene Cole	Assistant Principal
Bower Park Academy	Tara English	Assistant Principal
Hacton Primary School	Emily Leslie	Headteacher
Ardleigh Green Infants Primary School	Verity Hoffman	Headteacher
Ardleigh Green Juniors Primary School	Janelle Johnson	Headteacher

ELAT Senior Leader Attendance and Punctuality Champions have overall responsibility for improving both attendance and punctuality. Staff will receive appropriate training and understand the importance of good attendance. Champions will have a strong grasp of absence data and will regularly monitor and evaluate progress.

b. ELAT Education Welfare Officers (EWO)

Hall Mead School	Joanne Roberts	jroberts@elatschools.co.uk
The Brittons Academy	Lynn Hatch	lhatch@elatschools.co.uk
Bower Park Academy	Janet Anderson Tameka Roberts	andersonj@elatschools.co.uk troberts@elatschools.co.uk
Hacton Primary School	Lynn Hatch	lhatch@elatschools.co.uk
Ardleigh Green Infants Primary School	Nicola Amass	nicola.amass@havering.co.uk
Ardleigh Green Juniors Primary School	Nicola Amass	nicola.amass@havering.co.uk

An Education Welfare Officer (EWO) is employed to work with the school and family to ensure that every child is receiving a suitable, full-time education through their regular attendance and good punctuality at school.

The EWO school service works through whole school approaches, by providing early intervention and targeted support to pupils and families. EWOs will receive appropriate training and understand the importance of good attendance and punctuality.

c. ELAT Attendance Team Contact Information

School	Phone Number	Email
Hall Mead School	01708 225684	HMS-absence@elatschools.co.uk
The Brittons Academy	01708 630002	TBA-attendance-officer@elatschools.co.uk
Bower Park Academy	01708 730244	attendance@bowerpark.co.uk
Hacton Primary School	01708 443991	hacton@elatschools.co.uk
Ardleigh Green Infants Primary School	01708 449362	office@agi.havering.sch.uk
Ardleigh Green Juniors Primary School	01708 443014	office@ardleighgreenjun.org.uk

Each Academy has a dedicated email solely for the purposes of communicating information regarding attendance and punctuality.

4. ELAT Common Attendance Practices:

- ✓ Submit a daily attendance return to the Department for Education, in line with the legal expectations placed on all schools
- ✓ Any pupil who is absent from the Academy at the morning or afternoon registration period, will have their absence recorded as unauthorised until a reason is provided.
- ✓ ✓ A child's attendance is the responsibility of the parent/carer.
- ✓ ✓ A range of support for parents/carers will be made available where they (the parent/carers) are seeking the academy's assistance to encourage a child to attend school more regularly.
- ✓ ✓ The Academy will not ask pupils to remain at home, other than those that are formally fixed term or permanently excluded, *(unless there is a serious risk to the pupil in question or other pupils in the academy. In this case, the individual academy will seek advice from the LA and the Trust to establish a way forward.)*

5. ELAT Common Punctuality Practices:

- ✓ Pupils must attend on time to be given a present mark for the session.
- ✓ Where a pupil arrives after the register closes, this will be classed as an unauthorised absence.
- ✓ Lateness is monitored via SIMS. Subject teachers/form tutors are required to record lateness in SIMs.

Attendance

Hall Mead School	- Parent/Carer should inform the school using the Edulink-absence reporting, email at hms-absence@elatschools.co.uk or by phone on the first day of absence before 9.00am. - Only grant days at home for genuine illness and evidence should be provided for medical appointments. - Without an explanation for absence, children will be marked as unauthorised.
The Brittons Academy	- Parents/carers to phone the school as soon as possible to explain absence and expected return. - Only grant days at home for genuine illness. - Avoid taking holidays in school time. - Complete a leave of absence request for exceptional circumstances.
Bower Park Academy	- Absence reporting – parents/carers are expected to telephone the school (01708 730244) on the first day of absence and on each subsequent day to provide the reason for the student's absence. - A reason should be provided for the absence. - Unauthorised absence – if no valid reason is provided for an absence, it will be recorded as unauthorised. - Unauthorised absences will be followed up immediately by the year team and may lead to legal action if unresolved.

	- Minor illness -students are expected to come to school if they are physically able. This means that they will still be expected to come to school with minor coughs/colds/cramps/ stomach pains or headaches. - Parents/carers should use their judgement to decide if an illness requires time off school and may find it useful to consider if it would be appropriate for them to take time off work with a similar ailment. - If parents/carers are unsure, they should send students into school and ask them to visit the Pastoral Team/Medical Team if their condition deteriorates during the school day.
Hacton Primary School	- Parents/carers to report an absence on the first morning to advise the school. - A note is to be provided to explain the absence when the child returns to school. - Without a note to record an explanation, there is no alternative but to regard an absence as unauthorised. -
Ardleigh Green Infants Primary School	- Absences can be reported via the Edulink app on the first morning of absence. - Absences can also be reported via the dedicated telephone line. - Without an explanation for absence, children will be marked as unauthorised.
Ardleigh Green Juniors Primary School	- Absences can be reported via the Edulink app on the first morning of absence. - Absences can also be reported via the dedicated telephone line. - Without an explanation for absence, children will be marked as unauthorised.

Punctuality

Hall Mead School	- When a student is late for school, this is recorded as a behaviour and attracts a behaviour point. - A 20-minute detention will automatically be issued for that day, at the start of lunch. - Form Tutor / Head of Year will monitor punctuality. - For every 20 late marks, over a 12-week period, an £80 fine is issued to both parents/carers if paid within a 21-day period. The cost of £80 will increase to £160 for a further 7 days. If the penalty remains unpaid prosecution will be considered. - Concern letters regarding punctuality are sent home every half-term. - Parent/carer meetings are held with school and EWO. - Late marks are analysed and monitored every two weeks by the pastoral team. - Attendance team provides punctuality data to Senior Leadership Attendance Champion every week for analysis and intervention. - Trust competitions are run throughout the academic year to promote 100% punctuality. - Attendance certificates are presented in termly assemblies. - Attendance badges are awarded to students with 100% attendance.

The Brittons Academy	- Lateness is monitored in SIMS. - Students who are late have to sign in with Student Services. - Students who are persistently late are monitored by the pastoral team. - Students who are late will be issued a BP10 minute detention on that day. - Students who arrive late three or more times a week will receive a BP60 minute detention with the Head of Year. - For every 20 late marks, over a 12-week period, a £80 fine is issued to both parents/carers. - Concern letters regarding punctuality are sent home every half-term. - Parent/carer meetings are held with school and EWO. - Attendance team provides punctuality data to Senior Leadership Attendance Champion every week for analysis and intervention.
Bower Park Academy	- Students arriving to tutor time after the register is taken at 8:30am will be given a late mark by their Form Tutor or on the gate by the pastoral team. - This will result in a 40 min 'late on the day' detention. - If there is not a good reason for the lateness, an unauthorised mark will be issued. - Students who are persistently late will be monitored by the pastoral team/attendance team. - Alternatively, parents/carers, can email attendance@bowerpark.co.uk if there is a valid reason for a student to be late.
Hacton Primary School	- Lateness is monitored on SIMS - Reports are sent to EWO on a monthly basis - Concern letters are sent when appropriate to parents/carers - Families who cause concern are spoken to by HT about impact on learning.
Ardleigh Green Infants Primary School	- Lateness is monitored on SIMS - Reports are sent to EWO on a monthly basis - Concern letters are sent when appropriate to parents/carers - Families who cause concern are spoken to by HT about impact on learning.
Ardleigh Green Juniors Primary School	- Lateness is monitored on SIMS - Reports are sent to EWO on a monthly basis - Concern letters are sent when appropriate to parents/carers - Families who cause concern are spoken to by HT about impact on learning.

6. The School Day

a. ELAT Secondary School Day

i. Hall Mead School

Form Time / Assembly	8.45 – 9am
Period 1	9.05 – 10.05
Period 2	10.10 – 11.10
Break	11.10 11.25
Period 3	11.25 – 12.25
Lunch	12.25 – 1.10
Period 4	1.10 – 2.10
Period 5	2.15 – 3.15

ii. The Brittons Academy

(Monday, Tuesday, Thursday, Friday)

Registration	8.30 – 9.00
Period 1	9.00 – 10.00
Period 2	10.00 – 11.00
Break	11.00 – 11.30
Period 3	11.30 – 12.30
Period 4	12.30 – 1.30
Lunch	1.30 – 2.00
Period 5	2.00 – 3.00

Wednesday only:

Registration	8.30 - 8.40
Period 1	8.40 – 9.40
Period 2	9.40 – 10.40
Break	10.40 – 11.10
Period 3	11.10 – 12.10
Period 4	12.10 – 1.10
Lunch	1.10 – 1.40
Period 5	1.40 – 2.40

iii. Bower Park Academy

Form Time	8.30 – 8.55
Period 1	8.55 – 9.55
Period 2	9.55 – 10.55
BREAK	10.55 – 11.20
Period 3	11.20 – 12.20
Period 4	12.20 – 1.20
Lunch	1.20 – 1.55
Period 5	1.55 – 2.55

b. ELAT Primary School Day

i. Hacton Primary School

Year Group	Arrival	Break	Lunch	Home Time
Nursery	AM: 8.30am PM: 12.30pm	Free Flow Play	11.30am – 12.30pm	AM: 11.30am PM: 3.30pm
Reception	8.45am – 9am	Free Flow Play	11.30am – 12.45pm	3.05pm
Years 1 and 2	8.45am	10.05am – 10.20am	11.45am – 12.45pm	3.10pm
Years 3 and 4	8.50am	10.05am – 10.20am	11.45am – 12.45pm	3.15pm
Years 5 and 6	8.55am	10.40am – 10.55am	12.30pm – 1.30pm	3.20pm

ii. **Ardleigh Green Infants School**

Year Group	Arrival	Break	Lunch	Home Time
Reception	8.45am – 9am	Free Flow Play	11.45am – 1pm	3.10pm
Year 1	8.45am – 9am	10.30am – 10.45am	12pm – 1pm	3.20pm
Year 2	8.45am – 9am	10.15am – 10.30am	12pm – 1pm	3.20pm

iii. **Ardleigh Green Juniors School**

Year Group	Arrival	Break	Lunch	Home Time
Junior	8.45am – 8.55am	10.35am – 10.50am	12pm – 1pm	3.20pm

7. ELAT Registers

Registration starts at the time displayed for each Academy.

Computerised registers will be marked promptly at these times. Should a student arrive after the start of registration, but before the registers have closed, he/she will be marked as late for that session.

Should they arrive after the register has closed, they will be marked with an authorised absence or unauthorised absence (U code).

A guide of all attendance codes used nationally can be found in the Appendix.

Lateness is monitored via SIMS. Subject teachers/form tutors/class teachers are required to record lateness in SIMs.

Registers are legal records and all schools will preserve every entry in the attendance or admission register for 6 years from the date of entry.

8. Closure of Register

Hall Mead School	9.05am
The Brittons Academy	9am
Bower Park Academy	9am
Hacton Primary School	9.05am

Ardleigh Green Infants Primary School	9am
Ardleigh Green Juniors Primary School	8.55am

9. Register Review

ELAT will work collaboratively with the LA to allow register reviews to be undertaken. The registers will be made available, on the school site, for EWOs to perform this duty. The EWO will use the audit to inform the Academy of any issues that need addressing.

10. Absences

All academies within ELAT recognise that children missing education can add as a vital warning to range of safeguarding issues and any absences, authorised or unauthorised, are monitored.

ELAT will follow the DfE Guidance on 'Children Missing Education' which can be found at: **Stat guidance template (publishing.service.gov.uk)**

a. What constitutes 'authorised' and 'unauthorised' absence?

i. Authorised Absences

These are absences which the school agree are unavoidable, for example, illness, family bereavement etc. and absences for which leave has been granted e.g., medical appointments.

Copies of appointment letters from GPs/hospitals should also be forwarded to the Academy.

If the absence is 5 days or more, medical evidence should be provided.

ii. Unauthorised Absences

Unauthorised absences are those which the school considers avoidable, for example, minor ailments, birthdays, shopping, day trips etc.

An absence is unauthorised until an acceptable written explanation is received.

Parents/carers should be aware:

- ✓ Absences will not be authorised under any circumstances for Year 6 pupils during, or in the lead up to SATS. (From February to the end of May).
- ✓ Absences will not be authorised under any circumstances for Year 11 pupils during, or in the lead up to GCSEs. (From February to the end of June).
- ✓ Where the individual Academy does not authorise the request and the pupil is then absent from school, the absence will be marked as unauthorised.
- ✓ In cases of authorised absence, where the parents/carers keep a child away for longer than agreed, the extra time will be marked as unauthorised.
- ✓ If a pupil is absent due to unauthorised holiday, or extended leave, this information will be passed to the EWO and a fixed penalty may be issued.

b. First Day of Absence

Alongside accurate recording of attendance and absence, all schools have robust day to day processes to track and follow up absence and poor punctuality which are rigorously applied.

Following morning registration, all parents/carers of pupils with a missing mark, i.e. those who are absent with no known reason, will receive contact informing them that their child has not arrived at school.

The registration mark will remain unauthorised until an acceptable reason for absence is given.

If a child is unfit for school, the parent/carer should contact the school on the first day of the absence. If absence continues without explanation, further contact will be made to ensure safeguarding.

c. Unexplained Absence

ELAT academies have a legal obligation to find out why a pupil is absent.

It is the duty of the parents/carers to inform the individual academy of the reason for their child's absence.

d. Appointments

ELAT recognises that, on occasions, appointments cannot be made outside of school hours. For safeguarding reasons, all schools will require a letter/email/proof of medical appointment to be provided to the school, before a student is allowed to sign out and leave the school premises.

Parents/carers should provide the school with copies of all appointments relating to their child, in order for the school to record the time/date of absence appropriately.

Parents/carers should endeavour to ensure that their child attends school either side of an appointment where possible. The school keeps a record of students leaving or returning to the site so that it has an accurate record of who is on site. This is particularly important in the event of an emergency requiring evacuation of the building.

If they have no authorised note, then they will not be allowed off the premises until contact has been made with a parent/carer and the reason confirmed. Upon returning to school, the student must sign back in.

If school deems that the written notes is not sufficient evidence, a phone call will be made home, to verify that the student is allowed to sign out.

e. Reporting an Absence

Each Academy has a dedicated 'absence' email address for reporting absences or sharing information relating to attendance:

School	Phone Number	Email
Hall Mead School	01708 225684	HMS-absence@elatschools.co.uk
The Brittons Academy	01708 630002	TBA-attendance-officer@elatschools.co.uk
Bower Park Academy	01708 730244	attendance@bowerpark.co.uk
Hacton Primary School	01708 443991	hacton@elatschools.co.uk
Ardleigh Green Infants Primary School	01708 449362	office@agi.havering.sch.uk
Ardleigh Green Juniors Primary School	01708 443014	office@ardlieghgreenjun.org.uk

Unexplained absences and/or frequent absences can be a serious cause for concern and therefore in terms of the safeguarding of children, any unexplained absences will be a priority for the Academy.

✓ A record of absence notes/emails/notes of telephone calls will be kept for the remainder of the academic year.

✓ If there are attendance concerns about the pupil that may require further investigation, then the notes may need to be retained for a longer period. This information may be submitted to the

Educational Welfare Officer (EWO), if she/he is involved in the attendance issues for that particular pupil.

✓ Each Academy records and monitors pupil attendance.

✓ If there are any concerns with pupil attendance, the Academy contacts parents/carers to discuss issues.

✓ A pupil's attendance record may be discussed at meetings.

✓ A pupil's attendance is recorded on their end of year report; this shows the number of authorised and unauthorised absences.

f. Returning to School

It is important that upon return from an absence, that all pupils are encouraged to catch-up on missed work, brought up to date on any information that has been passed to the other pupils and also reminded of the importance of regular attendance.

g. Frequent/Persistent/Severe Absence

In cases, where a pupil begins to develop a pattern of absences, the ELAT academies will strive to resolve the problem with the parents/carers.

- ✓ A student is considered as being 'persistently absent' when they have missed at least 10% of school.
- ✓ A student is considered as being 'severely absent' when they have missed 50% or more of school.

All schools will:

- Proactively use data to identify pupils at risk of poor attendance and work with them to understand and address the reasons for absence
- Signpost and support pupils and parents/carers to access any required services, where you've identified out-of-school barriers

Where a pupil is persistently absent, all schools will:

- Put additional targeted support in place to remove any barriers
- Work with the LA on legal intervention where support is not working or being engaged with
- Intensify support through statutory children's social care, where there are safeguarding concerns

Where a pupil is severely absent, the DfE expects schools to take the approach above for persistently absent pupils **and** agree a joint approach with your LA.

The type of support your school and other partners can provide includes:

- A whole family plan (e.g., an Attendance Contract)
- An education, health and care (EHC) plan
- Alternative Provision

11. ELAT Common Approaches for Frequent/Persistent/Severe Absence

✓ The individual Academy may refer the pupil to relevant outside agencies and services such as Social Care, Nurse etc.

✓ The Academy will seek advice from the EWO.

✓ Any pupil whose attendance falls below 95% will be discussed with the EWO at regular meetings with the relevant member of the Academy pastoral team.

✓ Those between 90% and 95% will be investigated by the appropriate member of the pastoral team and the parent/carer will be contacted.

✓ Any pupil whose attendance falls below 90% will be referred to the EWO for further action.

✓ A pupil could be placed on an 'Attendance Contract'. Please refer to the Appendix.

✓ A range of professional staff may need to be alerted to the attendance concerns for this particular pupil, e.g., a pupil that has an Educational Health Care Plan or special need.

Minutes Lates Per Day	Equals Days Absent (Per academic year)
5	3.4
10	6.9
15	10.3
20	13.8
30	20.7

12. Celebrating Attendance and Punctuality

Each Academy will use opportunities as they arise to remind parents/carers, that it is their responsibility to ensure that their children receive their education.

Each Academy will have a system which rewards pupils who have good or improving attendance such as letters home / certificates awarded in assemblies / vouchers.

13. Exceptional Leave of Absence

In 'normal' circumstances, the ELAT does not allow holiday or extended leave during term time. However, each case will be dealt with individually and in exceptional circumstances approval may be given.

Where a parent/carer wishes to take their child on holiday during term time, an official request should be made to the individual Academy.

Parents/carers should make a request using the 'Exceptional Leave of Absence' form; please refer to the Appendix for further details.

Exceptional consideration 'could' be given to:

- ✓ The child's previous attendance history
- ✓ The child's stage of education
- ✓ Record of pupil's effort score
- ✓ The time of year (exams)
- ✓ Whether the parents/carers are restricted in terms of leave from their employer
- ✓ Exceptional circumstances may apply to service personnel
- ✓ When a family needs to spend time together at a time of crisis

If the leave of absence is taken without the request being agreed or no request for leave of absence has been received, nor agreed the absence will be recorded as an unauthorised (G code). The unauthorised absence will be reported to our Local Authority Attendance Service, and this may result in a Formal Caution or Fixed Penalty Notice being issued in accordance with the Havering Code of Conduct.

14. Fines/ Fixed Penalty Notice

The Havering Code of Conduct (Penalty Notices) determine that if a child of compulsory school age fails to attend school regularly over a given period, the parent/parents/guardian may be subject to a fixed penalty notice.

The new national framework for issuing penalty notices will replace local codes of conduct, to ensure consistency across the country.

Penalty notices are issued to parents/carers as an alternative to prosecution where they have failed to ensure that their child of compulsory school age regularly attends the school where they are registered or, in certain cases, at a place where alternative provision is provided.

Penalty notices can be used by all schools where the pupil's absence has been recorded with one or more of the unauthorised codes and that absence(s) constitutes an offence. A penalty notice can be issued to each parent liable for the offence or offences. They should usually only be issued to the parent/carer or parents/carers who have allowed the absence (regardless of which parent has applied for a leave of absence). Penalty notices are intended to prevent the need for court action and should only be used where it is deemed likely to change parental behaviour and support to secure regular attendance has been provided and has not worked or been engaged with, or would not have been appropriate in the circumstances of the offence (e.g., an unauthorised holiday in term time). Penalty notices must be issued in line with the Education (Penalty Notices) (England) Regulations 2007, as amended and can only be issued by a headteacher or someone authorised by them (a deputy or assistant head), a local authority officer or the police. They must also be issued in line with Local Codes of Conduct which are drawn up and maintained by each local authority.

Where a penalty notice is issued by someone other than a local authority officer, the person issuing the penalty notice is expected to check with the local authority before doing so and must also send them copies of any penalty notices issued.

Fines will be:

- £80 to be paid within 21 days, or
- £160 if paid after 21 days but within 28 days

15. Penalty Notices – Suspensions and Permanent Exclusion

A penalty notice may be issued where parents/carers allow their child to be present in a public place during school hours without reasonable justification during the first 5 days of a fixed period or permanent exclusion. The school will have notified the parents/carers of the days the pupil must not be present in a public place.

This type of penalty notice is not included in the National Framework and therefore not subject to the same considerations about support being provided or count towards the limit as part of the escalation process in the case of repeat offences for non-attendance.

16. National Threshold – Issuing a Penalty Notice

Schools must consider whether a penalty notice is appropriate in each individual case where one of their pupils reaches the national threshold for considering a penalty notice. Schools should not have a blanket position of issuing or not issuing penalty notices and should make judgements on each individual case to ensure fairness and consistency.

The threshold is 10 sessions of unauthorised absence in a rolling period of 10 school weeks. A school week means any week in which there is at least one school session. This can be met with any combination of unauthorised absence (e.g., 4 sessions of holiday taken in term time plus 6 sessions of arriving late after the register closes all within 10 school weeks). These sessions can be consecutive (e.g., 10 sessions of holiday in one week) or not (e.g. 6 sessions of unauthorised absence taken in 1 week and 1 per week for the next 4 weeks). The period of 10 school weeks can also span different terms or school years (e.g., 2 sessions of unauthorised absence in the Summer Term and a further 8 within the Autumn Term).

15. Notices to Improve

A 'Notice to Improve' is a final opportunity for a parent to engage in support and improve attendance before a penalty notice is issued. If the national threshold has been met and support is appropriate but offers of support have not been engaged with by the parent or have not worked, a 'Notice to Improve' should usually be sent to give parents/carers a final chance to engage in support.

A 'Notice to Improve' does not need to be issued in cases where support is not appropriate and an authorised officer can choose not to use one in any case, including cases where support is appropriate but they do not expect a Notice to Improve would have any behavioural impact (e.g., because the parent has already received one for a similar offence). Where a 'Notice to Improve' is used, it should be issued in line with processes set out in the Local Code of Conduct for the local authority area in which the pupil attends school.

The 'Notice to Improve' is expected to include:

- Details of the pupil's attendance record and details of the offences.

- The benefits of regular attendance and parents'/carers' duty under section 7 of the Education Act 1996.
- Details of the support provided so far.
- Opportunities for further support and the option to access previously provided support that was not engaged with.
- A clear warning that a penalty notice may be issued or prosecution considered if attendance improvement is not secured within the improvement period.
- A clear timeframe for the improvement period of between 3 and 6 weeks.
- Details of what sufficient improvement within that timeframe will look like.
- The grounds on which a penalty notice may be issued before the end of the improvement period.

What sufficient improvement looks like can be decided on a case-by-case basis taking the individual family's circumstances into account. For some families, no further unauthorised absences will be appropriate, for others some absence may be tolerable if considerable improvement is seen. Details of what sufficient improvement for each case should be made clear in the 'Notice to Improve'. Where it is clear that improvement is not being made, it may be appropriate to issue a penalty notice before the improvement period has ended. For example, a 'Notice to Improve' stated there should be no further unauthorised absences in a 6-week period but the pupil is absent for unauthorised reasons in the first week. The parent should be informed before a penalty notice is issued if it is before the end of the improvement period.

16. Two Penalty Notice Limit

A penalty notice is an out of court settlement which is intended to change behaviour without the need for criminal prosecution. If repeated penalty notices are being issued and they are not working to change behaviour they are unlikely to be most appropriate tool. Therefore, from autumn term 2024, only 2 penalty notices can be issued to the same parent in respect of the same child within a 3-year rolling period and any second notice within that period is charged at a higher rate:

- The first penalty notice issued to a parent in respect of a particular pupil will be charged at £160 if paid within 28 days. This will be reduced to £80 if paid within 21 days.
- A second penalty notice issued to the same parent in respect of the same pupil is charged at a flat rate of £160 if paid within 28 days.
- A third penalty notice cannot be issued to the same parent in respect of the same child within 3 years of the date of issue of the first. In a case where the national threshold is met for a third time (or subsequent times) within those 3 years, alternative action should be taken instead. This will often include considering prosecution, but may include other tools such as one of the other attendance legal interventions.

17. Timed Limited Phased Return

All pupils of compulsory school age are entitled to a full-time education. In very exceptional circumstances, where it is in the pupil's best interests, there may be a need for a temporary part-time timetable to meet their individual needs. This is known as a 'time limited phased return.'

A part-time timetable/time limited phased return, must only be in place for the shortest time necessary and not be treated as a long-term solution. Any pastoral support programme or other agreement should have a time limit by which point the pupil is expected to attend fulltime, either at school or alternative provision. There should also be formal arrangements in place for regularly reviewing it with the pupil and their parents/carers. In agreeing to a part-time timetable, a school has agreed to a pupil being absent from school for part of the week or day and therefore must treat absence as authorised. Schools will require supporting documentation from a GP/CAMHS etc to support the use of a timed limited phased return.

18. Building Relationships and Working Jointly with Families

Good attendance starts with close and productive relationships with parents/carers and pupil and our schools will treat all pupils and parents/carers with dignity. Our staff will model respectful relationships to build a positive relationship between home and school that can be the foundation of good attendance.

In working in partnership with parents/carers, our schools will discuss the link between attendance and attainment and wider wellbeing, and challenge parents/carers' views where they have misconceptions about what 'good' attendance looks like. Where a pupil or family needs support with attendance, it is important that the best placed person in the school works alongside and supports the family and wherever possible the person should be kept consistent.

19. Mechanisms of Support

Where a pupil, or family, needs support with attendance, it is important that the best placed person in the school works with, and supports the family, and wherever possible the person should be kept consistent.

Examples of supportive mechanisms could include, but are not limited to:

- Addressing of any in-school barriers
- Discussions around the link between attendance and attainment and wider wellbeing
- Addressing any parents/carers' views where there have been misconceptions about what 'good' attendance looks like
- Meetings with the school
- Referrals to services and organisations that can provide support
- Mentoring
- Careers advice
- 121 tuitions
- Use of alternative provision
- Voluntary Early Help assessment

Where absence intensifies, so should the support provided, which will require the school to work in tandem with the local authority and other relevant partners:

- If the needs and barriers are individual to the pupil this may include provision of mentoring, careers advice, college placements, 1-2-1 tuition or out of hours learning, or where appropriate an education, health and care plan or alternative provision.
- Where the needs are wider and a whole family response is more appropriate, this is likely to include a voluntary early help assessment.
- Where engagement in support is proving challenging, schools should hold more formal conversations with the parents/carers (and pupil where they are old enough to understand). This is likely to be led by the school's senior attendance champion and may include the school's point of contact in the local authority School Attendance Support Team. These meetings should clearly explain the consequences of persistent and severe absence to the pupil and family and the potential need for legal intervention in future, but should also be an opportunity to continue to listen to and understand the barriers to attendance and explain the help that is available to avoid those consequences.

Where voluntary support has not been effective and/or has not been engaged with all schools should work with the local authority to:

- Put formal support in place in the form of an attendance contract or an education supervision order.
- Issue a Notice to Improve and/or penalty notice where support would not be appropriate or has not been successful or engaged with and it is likely to change the parents/carers' behaviour.
- Intensify support through statutory children's social care involvement where there are safeguarding concerns, especially where absence becomes severe (below 50% attendance).
- Prosecute parents/carers where all other routes have failed or are not deemed appropriate. This could include making the case for a community or parenting order where the parent is convicted to secure engagement with support.

ELAT recognises that supportive approaches are most effective when they are put in place as early as possible and therefore it is essential all partners work together in a timely manner. If a pupil's absence requires support from an outside agency which is not provided quickly (e.g., subject to a waiting list), schools and/or local authorities should consider other avenues of support or other temporary solutions whilst waiting.

In all cases, the school should monitor the impact of any intervention(s) and make adjustments where necessary in discussion with the pupil, parents/carers and any other partners involved as part of any whole family plan or team around the family. Where interventions are failing, all parties should work together to identify the reasons why and either adjust or change the approach. In very few cases when all options have been exhausted, partners are expected to work together to continue offering new approaches. If a particular form of support is refused or does not work initially, schools and partners are expected to provide further opportunities to engage in that support, try something else or ultimately take legal action if support is not appropriate.

20. Supporting Students with Physical or Mental Health Difficulties / Special Educational Needs /Disabilities

Some children may feel nervous about attending school and have worries which are linked to friendships, schoolwork or examinations. It is important to note that these children are still expected to attend school as, in many instances, being away from school can exacerbate feelings. Schools will work collaboratively with parents/carers to mitigate anxious feelings in school as much as possible and can seek advice and support from the DfE's non-statutory guidance: Summary of responsibilities where a mental health issue is affecting attendance (publishing.service.gov.uk) for case study examples.

Some pupils will face more complex barriers to attendance such as those children with a long term physical or mental health condition or those with SEN. Their right to education is the same as any other pupil and therefore the attendance ambition for these students should be the same but with additional support provided. Please refer to Section 16 for examples of support. School staff are not expected to diagnose or treat any conditions but are expected to work alongside families and agencies to ensure regular attendance can be achieved. ELAT schools should:

- Facilitate any relevant pastoral support with the clear aim of improving attendance as much as possible whilst supporting the underlying health issue.
- Consider adjustments to practice and policies to help meet the needs of pupils who are struggling to attend school, as well as making formal reasonable adjustments under section 20 of the Equality Act 2010 where a pupil has a disability. Any adjustments should be agreed by, and regularly reviewed with the pupil and their parents/carers.
- Ensure joined up pastoral care is in place where needed and consider whether a time-limited phased return to school would be appropriate, for example for those affected by anxious feelings about school attendance.

- Make a sickness return to the local authority if a pupil is recorded in the attendance register as absent using code I (unable to attend because of sickness) and there are reasonable grounds to believe the pupil will have to miss 15 consecutive school days or more for illness or the pupil's total number of school days missed during the current school year because of illness (whether consecutive or cumulative) will reach or exceed 15 school days.

For pupils with SEN, schools are expected to:

- Work in partnership parents/carers to develop specific support approaches for attendance for pupils with special educational needs and disabilities, including, where applicable, ensuring the provision outlined in the pupil's education, health and care plan is accessed.
- Work in partnership families to help support routines where school transport is regularly being missed and work with other partners to encourage the scheduling of additional support interventions or medical appointments outside of the main school day.
- Establish strategies for removing the in-school barriers these pupils face, including considering support or reasonable adjustments for uniform, transport, routines, access to support in school and lunchtime arrangements.
- Consider adjustments to practice and policies to help meet the needs of pupils who are struggling to attend school, as well as making formal reasonable adjustments under section 20 of the Equality Act 2010 where a pupil has a disability. Any adjustments should be agreed by, and regularly reviewed with the pupil and their parents/carers.
- Ensure joined up pastoral care is in place where needed and consider whether a time-limited phased return to school would be appropriate.

If a child has an EHCP, school staff should:

- Communicate with the local authority where a pupil's attendance falls or they become aware of barriers to attendance that relate to the pupil's needs.
- Where possible agree adjustments to its policies and practices that are consistent with the special educational provision set out in the education health and care plan in collaboration with parents/carers.
- Where needed work with the local authority to review and amend the education health and care plan to incorporate the additional or different attendance support identified.

21. Medical Evidence

Medical evidence for recording absences should only be needed in a minority of cases. Where a pupil's health need means they need reasonable adjustments or support because it is complex or long term, schools will seek medical evidence to better understand the needs of the pupil and identify the most suitable provision in line with the statutory guidance in:

Arranging education for children who cannot attend school because of health needs (publishing.service.gov.uk).

Schools will ensure data is regularly monitored for pupils with long term illnesses and or special educational needs or disabilities including at governing body meetings and in meetings with the local authority so that additional support from other partners is accessed where necessary. Where parents/carers do not engage in support, schools will work with the local authority or other local partners to formalise that support and as a last resort, enforce attendance through legal intervention.

22. Use of Agencies to Support Attendance

Attendance is everyone's business so in some cases school will not be able to fully support a pupil without the assistance of a range of other agencies.

Schools should:

- Make use of school nursing services and mental health support teams where they are available.
- Consider whether additional support from other external partners (including the local authority, children and young people's mental health services, GPs or other health services) would be appropriate and make referrals.
- Where external support is provided work together with those services to deliver any subsequent support.
- Inform a pupil's youth offending team worker of any unexplained absences.

23. Working together with the Local Authority (LA)

Havering Local Authority Attendance Officers have responsibility for ensuring that any decisions regarding legal intervention are progressed appropriately. In order that the LA can exercise their duty, our Academy staff will cooperate where required. A range of intervention is available for LA Officers, some of which includes the Court's involvement.

Where an EWO is taking a parent/carer to the Magistrates Court, the Academy will provide all the necessary information in the form of 'Certified Extracts' of the register which will be signed by the Headteacher in advance of the hearing.

Intervention may require Academy Staff to attend planning meetings which will be arranged by the LA.

- ✓ Formal cautioning: this may include the need for a Head Teacher/Principal or Senior Member of staff to be in attendance.
- ✓ Penalty Notices for extended or unauthorised holidays: The Academy will consider any case in consultation with the LA in respect of Penalty Notices.
- ✓ Education Supervision Orders (ESO): This Academy will provide reports and other appropriate information to support the process of an ESO as instigated by the LA.
- ✓ School Attendance Order Notices (SAO): This Academy will work with the LA Officers where an SAO notice is considered appropriate.

24. Attendance Contracts

An attendance contract is a formal written agreement between a parent and either the school or local authority to address irregular attendance at school or alternative provision. An attendance contract is not legally binding but allows a more formal route to secure engagement with support where a voluntary early help plan has not worked or is not deemed appropriate.

An attendance contract is not a punitive tool, it is intended to provide support and offer an alternative to prosecution. Parents/carers cannot be compelled to enter an attendance contract, and they cannot be agreed in a parent's absence.

There is no obligation on the school or local authority to offer an attendance contract, and it may not be appropriate in every instance, but an attendance contract should always be explored before moving forward to an education supervision order or prosecution.

The aim from the outset should be for the parent(s), and the pupil where they are old enough, the school and the local authority to work in partnership. Where a school and/or local authority decide to use an attendance contract, a meeting should be arranged with the parent(s) and it should include the pupil if they are old enough to understand.

The meeting should:

- explain the purpose of an attendance contract and why using one would be beneficial in the family's circumstances.
- The parent(s) should be asked to outline their views on the pupil's attendance at school, any underlying issues and how they believe these should be addressed.
- allow everyone to share their views on the idea of an attendance contract and what type of support they think would be helpful to secure the pupil's regular attendance.

Where a parent fails to attend the meeting without good reason or notification, further attempts should be made to contact them and arrange another meeting but all attempts at support should be recorded. One attendance contract may be arranged with all parents/carers, or in circumstances where it is desirable to have different requirements for each parent then separate attendance contracts for each parent should be arranged.

A sample attendance contract is included in the Appendices of this policy.

Attendance contracts do not have a minimum or maximum duration. Each individual attendance contract should set out the duration it will be in place, and most are for between 3 and 12 months but can be longer if needed.

Once the requirements and support elements of the attendance contract have been agreed, the school and/or local authority and the parent should write up the contract together and sign it. The attendance contract should be written in language that the parent can easily understand (including a translation where necessary). All parties, including other partners working with the family, should be given a copy.

25. Deletion from Roll

For any pupil leaving school, other than at the end of Years 6 or 11, parents/carers are required to communicate with the school office with the following information:

- Child's name
- Class
- Current address
- Date of leaving
- New home address
- Name of new school
- Address of new school

This information is essential to ensure that we know the whereabouts and may appropriately safeguard all of our pupils, even those who leave us. It is crucial that parents/carers keep school updated with current addresses and contact details for the pupil and key family members, in case of emergency.

Under Pupil Regulations 2006, all schools are now **legally required** to notify their Local Authority of **every new entry** to the admission register **within five days** of the pupil being enrolled. In addition to this, **every deletion** from the school register must also be notified to the Local Authority, as soon as the ground for deletion has been met in relation to that pupil, and in any event no later than the time at which the pupil's name is deleted from the register.

This duty does not apply when a pupil's name is removed from the admission register at a standard transition point – when the pupil has completed the final year of education normally provided by that school

Appendices:

1. Sample Attendance Contract
2. Sample Exceptional Leave of Absence Request
3. Education Supervision Orders
4. Key Signposting
5. Attendance Codes, Descriptions and Meanings
6. Attendance Codes, Descriptions and Meanings – Changes from 19th August 2024
7. Fines / Fixed Penalty Notices
8. Legal Intervention Routes
9. NHS Guidance: Should I keep my child off school?
10. National Framework for Penalty Notices

1. **Sample Attendance Contract Template**

Date/time of meeting:	
Venue:	

Pupil name:	
Year Group:	

Present at meeting:	

Discussion regarding attendance, including statement from parent:

Agreed actions including support provided:
EXAMPLES OF ACTION AGREED: • *Pupil will arrive at school by 8.30 a.m. every day.* • *Parent will inform the school on the first day of a sickness absence and provide a note upon pupil's return.* • *Parent will provide medical evidence for every sickness absence pupil may incur.* • *Are any issues preventing pupil from attending regularly, school staff will be informed?*

Current attendance:	
Attendance target:	
Timescale for improvement:	

Date/Time for Review Meeting:	

I can confirm that this Attendance Contract was agreed by all present.

Signed:

	Parent / Carer
	Pupil
	School Representative
	Other Agency

2. Sample Exceptional Leave of Absence Request

Request to authorise absence from school due to exceptional circumstances

Schools are only able to authorise absence from school in exceptional circumstances. In making a request for an authorised absence from school, you will need to explain why the circumstances are exceptional.

Please note: There is no general right to authorise absence for a family holiday. If you take your child out of school without permission the absence will be unauthorised and we will consider legal action.

The Academy will adhere to the guidelines set out in the DfE Guidance on 'Working together to improve school attendance' found at:

https://assets.publishing.service.gov.uk/media/65f1b048133c22b8eecd38f7/Working_together_to_improve_school_attendance__applies_from_19_August_2024_.pdf

Section A – To the Headteacher

Student Name:	
Student Form:	
Date of Request:	
To be authorised as absent from school from/to:	
If your child has siblings that are also applying for a leave of absence, please enter their name and school:	

Section B – Reason/s for this absence request

Please explain why you are applying for an authorised absence and the circumstances which make your application exceptional and therefore, the leave cannot be taken within the normal 13 weeks holiday your child has from school. If you are requesting authorisation to attend a specific event, please confirm the date of the event and explain your travel arrangements.

Please provide supporting documentation as evidence for your request.

Section C – Parent / Carer Information

I am the parent/carer with whom the student normally resides. The information I have given on this form is correct.

Signature:	
Date:	

Section D – For school use only

Complete as appropriate:

Current attendance	
Request approved	
Further discussion needed with parent/carer	
Request denied	

PLEASE NOTE:

This leave of absence form serves as a Penalty Notice Warning letter to parent/carers. Any unauthorised absence during this period of time, may be subject to a penalty notice for nonattendance being issued. A penalty notice is £80 per parent, per child for each 5 days' absence.

3. Education Supervision Orders (ESO)

Each Academy will follow the DfE guidance in regards to the application and implementation of an ESO. Please refer to page 50 onwards, this guidance can be found at:

https://assets.publishing.service.gov.uk/media/65f1b048133c22b8eecd38f7/Working_together_to_improve_school_attendance__applies_from_19_August_2024_.pdf

4. Key Signposting:

a. DfE Working Together to Improve School Attendance:

https://assets.publishing.service.gov.uk/media/65f1b048133c22b8eecd38f7/Working_together_to_improve_school_attendance__applies_from_19_August_2024_.pdf

b. DfE Summary Table of Responsibilities for School Attendance:

https://assets.publishing.service.gov.uk/media/6274ecb2d3bf7f5e3916fb5f/Summary_table_of_responsibilities_for_school_attendance.pdf

c. Havering Code of Conduct:

https://www.havering.gov.uk/downloads/file/1396/truancy_fines_code_of_conductpdf.pdf

d. Havering Attendance Policy

https://www.havering.gov.uk/downloads/file/5825/school-attendance-policy-2023-2024

e. Children Missing in Education:

Stat guidance template (publishing.service.gov.uk)

f. The School Attendance (Pupil Registration) (England) Regulations 2024

https://www.legislation.gov.uk/uksi/2024/208/contents/made

5. Attendance Codes, Descriptions & Meanings

Codes	Description	Meaning	Physical Meaning
/	Present (AM)	Present	In for whole session
\	Present (PM)	Present	In for whole session
B	Education off site (no Dual reg)	Approval Education Activity	Out for whole session
C	Other authorised circumstances	Authorised Absence	Out for whole session
D	Dual registration	Approved Education Activity	Out for whole session
E	Excluded	Authorised Absence	Out for whole session
F	Extended family holiday (agreed)	Authorised Absence	Out for whole session
G	Family holiday (not agreed)	Unauthorised Absence	Out for whole session
H	Family holiday (agreed)	Authorised Absence	Out for whole session
I	Illness	Authorised Absence	Out for whole session
J	Interview	Approved Education Activity	Out for whole session
L	Late (before registers closed)	Present	Late for session
M	Medical/Dental appointments	Authorised Absence	Out for whole session
N	No reason yet provided for absence	Unauthorised Absence	Out for whole session

Codes	Description	Meaning	Physical Meaning
O	Unauthorised Abs	Unauthorised Absence	Out for whole session
P	Approved sporting activity	Approved Education Activity	In for whole session
R	Religious observance	Authorised Absence	Out for whole session
S	Study leave	Authorised Absence	Out for whole session
T	Traveller absence	Authorised Absence	Out for whole session
U	Late (after registers closed)	Unauthorised Absence	Out for whole session
V	Educational visit or trip	Approved Education Activity	Out for whole session
W	Work experience	Approved Education Activity	Out for whole session
#	School closed to pupils & staff	Attendance not required	Out for whole session
Y	Enforced closure	Attendance not required	Out for whole session
X	Non-compulsory school age absence	Attendance not required	Out for whole session
Z	Pupil not on roll	Attendance not required	Out for whole session
-	All should attend/No mark recorded	No mark	Out for whole session

6. Attendance Codes, Descriptions & Meanings – Changes from 19th August 2024

Code	Description	Meaning
Y1	Unable to attend due to transport normally provided not being available.	Not expected to attend
Y2	Unable to attend due to widespread disruption to travel.	Not expected to attend
Y3	Unable to attend due to part of the school premises being closed. For example, this may be due to damage or teacher strikes.	Not expected to attend
Y4	Unable to attend due to the whole school site being unexpectedly closed. For example, extreme weather, damage, no hot water, or heating.	Not expected to attend
Y5	Unable to attend as pupil is in criminal justice detention. For example, in police detention, remanded to youth detention, awaiting trial or sentencing, or detained under a sentence of detention.	Not expected to attend
Y6	Unable to attend in accordance with public health guidance or law. contrary to or prohibited by any guidance relating to the incidence or transmission of infection or disease.	Not expected to attend
Y7	Unable to attend because of any other unavoidable cause. For example, an emergency has prevented the pupil from attending. The unavoidable cause must be something that affects the pupil, not just the parent.	Not expected to attend

The C code: Authorised Absence is broken down into the following sub codes to provide better differentiation of the reason:

Code	Description	Meaning
C	Leave of absence for exceptional circumstances. Where a leave of absence is granted, the school will determine the number of days a pupil can be absent from school. A leave of absence is granted entirely at the school's discretion.	Authorised Absence
C1	Leave of absence for the purpose of participating in a regulated performance or undertaking regulated employment abroad.	Authorised Absence
C2	Leave of absence for a compulsory school age pupil subject to a part-time timetable.	Authorised Absence

7. Fines/Fixed Penalty Notice

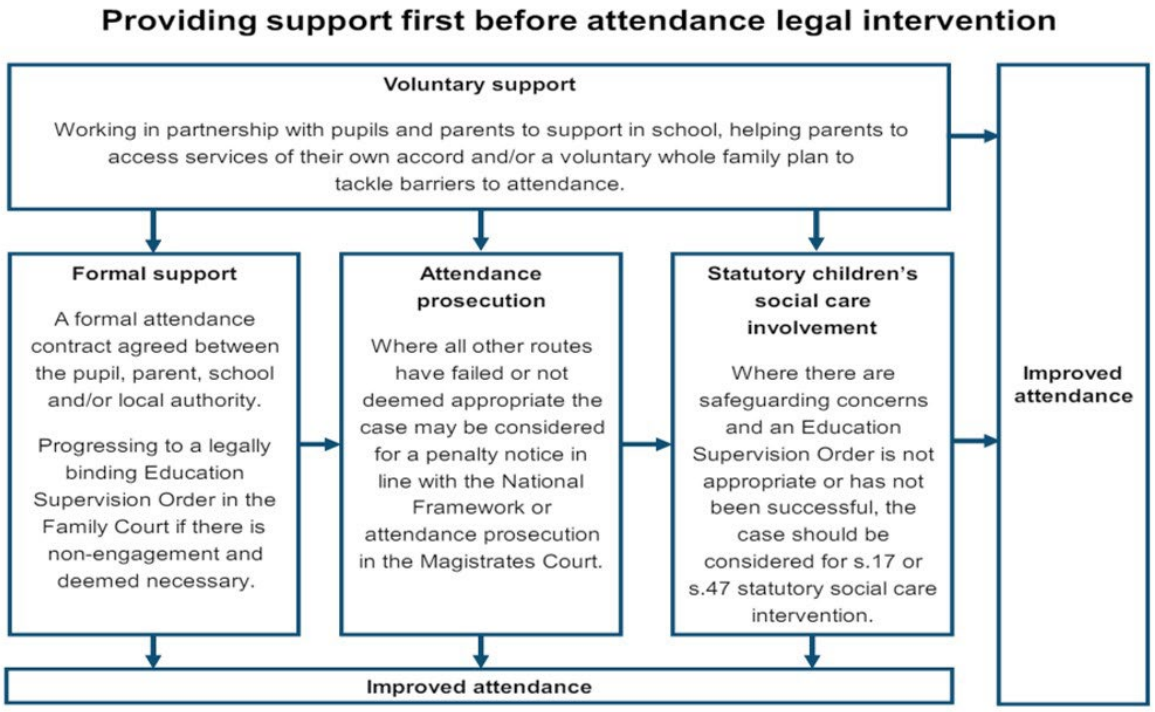
The Havering Code of Conduct (Fixed Penalty Notices) determine that if a child of compulsory school age fails to attend school regularly over a given period, the parent/parents/guardian may be subject to a fixed penalty notice.

A copy of the Havering Code of Conduct can be found at: Truancy fines | The London Borough Of Havering

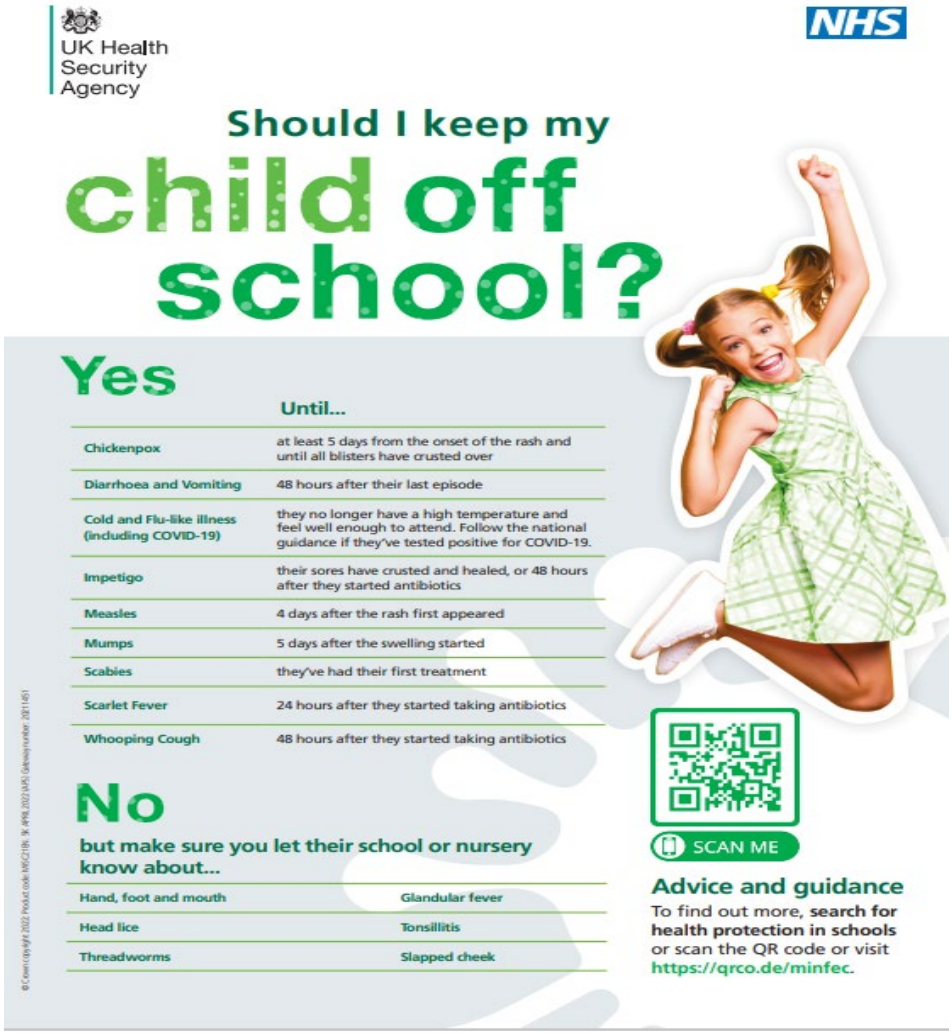
From 19th August 2024, the notice is £80.00 fine for each child and imposed to each parent, if paid within 21 days. If unpaid the fine rises to £160.00 and if this is not paid within 28 days the LA have a duty to prosecute for the offence.

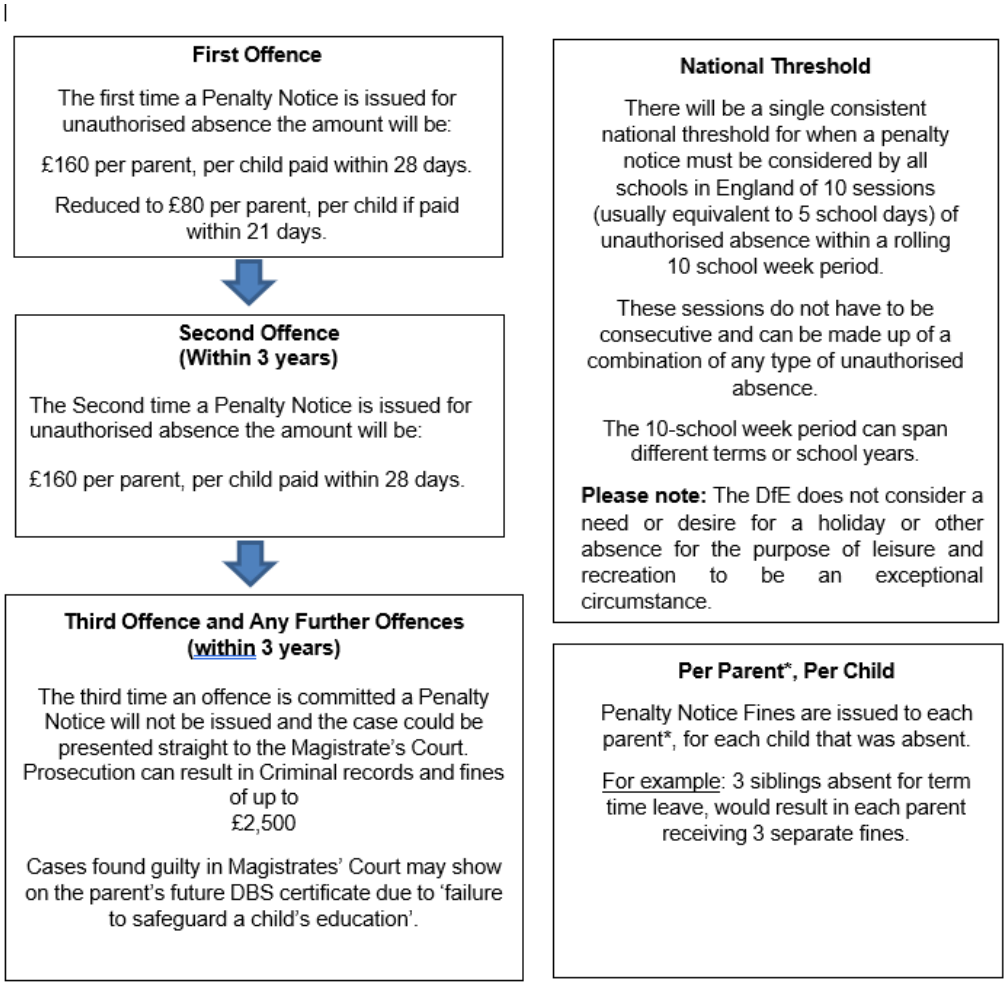
Please refer to the Havering website for further information:

8. Legal Intervention Routes



9. NHS Guidance: Should I keep my child off school?



10. National Framework for Penalty Notices

With the introduction of the new National Framework for Penalty Notices issued by DfE, the following changes will come into force for School Penalty Notice Fines issued after 19th August 2024