



**Sir Harry Smith Community College Attendance Policy  
 (Managing the attendance and absence of students)**

**This document is informed by:**

The Education Act 1996, 2002 & 2011,  
 The Education (Pupil Registration) (England) Regulations 2006,  
 The Education (Pupil Registration) (England) (Amendment) Regulations 2010, 2011, 2013 & 2016, The Education  
 (School Day and School Year) (England) Regulations 1999,  
 The Education and Inspections Act 2006,  
 The Education (Penalty Notices) (England) (Amendment) Regulations 2007, 2012 & 2013,  
 The Children Act 1989 & 2004,  
 The Education and Skills Act 2008,  
 DfE Working Together to Improve School Attendance (Guidance) Sept 2022,  
 DfE Working Together to Safeguard Children Guidance,  
 DfE Keeping Children Safe in Education (KCSIE) Statutory Guidance 2023,  
 DfE Children Missing Education Statutory Guidance September 2016,  
 DfE Supporting Pupils at school with Medical Conditions Guidance  
 Regional Local Authority Penalty Notice Protocols & Early Help Pathways,  
 DfE Ensuring a good education for children who cannot attend school because of health needs Guidance  
 SHSCC Behaviour and Safeguarding Policies.  
 SHSCC Supporting Pupils with Medical Conditions Policy  
 SHSCC Supporting Children with Health Needs Who Cannot Attend School Policy Feb 2024  
 DfE Guidance Summary of responsibilities where a mental health issue is affecting attendance (Feb 2023)  
 DfE Support for pupils where a mental health issue is affecting attendance: Effective practice examples (Feb 2023)

**Document Control**

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Revisions made:		
Date:	Page Number:	Description of changes
October 2024		<ol style="list-style-type: none"> <li>1. Keeping Children Safe in Education DfE Guidance update to KCSiE 2024 in section 4 c</li> <li>2. Number of school weeks updated to 10 weeks in section 4 g ii</li> <li>3. A single unauthorised absence event updated from 3 consecutive days (6 consecutive sessions) to 5 consecutive days (10 consecutive sessions) in section 4 g ii</li> <li>4. (days will depend on individual LA) wording removed in section 4 g ii</li> <li>5. Coding amended in section 5 h for students on a part time timetable.</li> <li>6. Time amended for students may generally enter College sites to after 8am in section 6 b</li> <li>7. Morning registration timing amended to first 30 minutes of school day in section 6 b</li> <li>8. Persistent absence minimum term amended to 10 weeks in section 7 d</li> <li>9. Severe Absence minimum term amended to 10 weeks in section 7 e</li> <li>10. Penalty Notice fines updated in line with new guidance in section 8 f</li> <li>11. Appendix A updated</li> <li>12. Appendix B updated (fine rate amended to £160, and number of consecutive sessions amended to 10 in section 6)</li> <li>13. Appendix C Morning Registration time amended</li> <li>14. Appendix D Roles and responsibilities – Deputy Principal section; BSU Manager amended to Inclusion Unit Manager</li> <li>15. Appendix E updated with updated codes</li> </ol>

## 1) Introduction:

- a) Sir Harry Smith Community College recognises the importance of **every** child accessing their right to education and this policy recognises the part that school attendance and punctuality plays in enabling students to **achieve** their maximum educational potential. We also recognise that absence can be linked to several factors, including but not limited to, trauma, mental health, medical needs, socio-economic circumstances and learning needs.
- b) We believe our policy helps us **all** to keep students safe, healthy and being able to participate in the life of the academy they are enrolled at and their local community, in turn supporting them to learn and achieve to enter adulthood successfully.
- c) All staff (teaching & support) at Sir Harry Smith Community College have a key role to play in **supporting** and **promoting** excellent attendance and will work to provide an environment in which **all** our students are eager to learn, feel valued and look forward to coming to school every day. Staff also have a responsibility to set a good example in matters relating to their own attendance and punctuality.
- d) It is everyone's responsibility to children to **prevent** absence from education as it can interrupt and damage a child's learning. Absence can also disrupt teaching routines which may affect the learning of others in the same class.
- e) It is **parents/carers** legal responsibility to ensure a child receives education, and where a child has been enrolled in a school, they **must** ensure the child has regular attendance at school. It is important that parents/carers work with their child's school to discuss barriers to attendance as permitting absence from school without a good reason is an offence in law and may result in prosecution.
- f) We are committed to working in partnership **collaboratively** with families and other agencies to achieve the best outcomes for children via in-school support and the early help pathways (see para 5d).
- g) We are committed to providing a welcoming and caring environment where **all** members of the academy community feel secure, listened to and valued to prevent barriers to attending and where effective systems of **communication** with students and parents/carers are used to supports building strong, positive relationships. We believe this will **encourage** good attendance and punctuality and will provide appropriate information, advice and actions to remove barriers to education.
- h) Sir Harry Smith Community College will use a whole school approach to promoting attendance and use appropriate systems of **recognition** and incentives to acknowledge the **effort** students make in achieving their best attendance and punctuality possible by celebrating and rewarding good and improving attendance; this may be done through weekly, half termly and termly events, individually and through assemblies and displays throughout the school. They will also provide updates on attendance regularly in newsletters, report to you on how your child/children are performing in school, what their attendance and punctuality rate is and how this relates to their attainment and rate of progress, as well as providing updates at parent/carer evenings'.
- i) We will follow [Department of Education \(DfE\) Guidance and Best Practice](#) in the **removal** of barriers to education, providing **support** to access education and where required, as a last resort, use formal support (family court orders) and/or legal action to ensure attendance improves, which includes the use of Penalty Notices as a deterrent to absence during term time. Each Academy's Local Authority (LA) has the statutory duty to issue Penalty Notices and/or process legal action upon submission of appropriate evidence by said academy when required.

## 2) Definition of Good Attendance and Attendance Expectations:

- a) The Isle of Wight Council v Platt case considered by the Supreme Court made it clear that 'regular attendance' shall mean **attendance in accordance with the school rules**; the school rules are every day the school is open for pupils to attend and only exceptional reasons would allow absence. Therefore, any non-attendance which is not in accordance with the school rules and not deemed 'exceptional' will be recorded as unauthorised.
- b) The expectation is that **all** students will **aspire** to achieve 100% attendance at school with a minimum of 97%, unless there are exceptional reasons for absence, which would then be discussed, explored, authorised and supported. Where alternative appropriate education is in place due to barriers to physically attending school, the same expectation of attendance is **required** in terms of engagement with that provision.

### 3) Definition of a 'Parent/Carer':

The term 'Parent/Carer' is used to address those with responsibilities for children. For the purposes of education and attendance matters and identifying those with legal responsibilities for student care and attendance, 'Parents' are determined as per Section 576 of the Education Act 1996 which defines a parent as:

- *the natural parents of a child, whether they are married or not;*
- *anyone who although not a natural parent, has parental responsibility for a child;*
- *any person who has care of a child or young person i.e. lives with and looks after the child.*

### 4) The Law relating to attendance and safeguarding:

a) *Section 7 of the Education Act 1996 states that 'the parent of every child of compulsory school age shall cause him/her to receive efficient full time education suitable: -*

*(a) to age, ability and aptitude and*

*(b) to any special educational needs he/ she may have*

*Either by regular attendance at school or otherwise'*

b) **Persistent/regular and Severe absence from school is considered a safeguarding concern.** A student *may* be at risk of harm if they do not attend school regularly. *Section 175 of the Education Act 2002* places a duty on local authorities and governing bodies to have regard to guidance issued by the Secretary of State regarding safeguarding and promoting the welfare of children and students under the age of 18. A similar duty applies to proprietors of independent schools (which include academies/free schools) by virtue of regulations made under *sections 94(1) and (2) of the Education and Skills Act 2008 - The child's welfare is always paramount.*

c) Safeguarding children & young people is **everyone's** responsibility and within the context of Sir Harry Community College, promoting the welfare and life opportunities for students includes promoting good attendance, behaviour management, health and safety, access to the curriculum and respectful relationships/anti-bullying. This is reinforced by the *Keeping Children Safe in Education (KCSiE 2024) DfE Guidance* which states that children being absent from school or college, particularly repeatedly, and/or for prolonged periods, and children missing education can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect such as sexual abuse or exploitation and can also be a sign of child criminal exploitation. It may also indicate mental health problems and early intervention is essential.

d) Sir Harry Smith Community College has access to Cambridgeshire County Council guidance and can discuss escalating their concerns to them with guided support from the Aspire Learning Trust.

e) Sir Harry Smith Community College adheres to Cambridgeshire County Council **LA Code of Conduct** and **Section 23 of the Anti-Social Behaviour Act 2003 in the use of Penalty Notices** for unauthorised single periods of absence and persistent absence. Penalty Notices are an alternative to prosecution under **Section 444(1) of the Education Act 1996** enabling parents to discharge potential liability for the offence of non-attendance at school by paying a penalty within an allotted time frame. Failure to pay the penalty on time will result in the LA either prosecuting for the original offence under Section 444(1) of the Education Act 1996 or withdrawing the notice (see paragraph 8 f) for information on why a PN can be withdrawn). For current payment levels and timescales please refer Section 8 b).

f) Sir Harry Smith Community College has a duty and wants to work together with parents/carers and other agencies (see paragraph 5d) to **prevent** a prosecution being necessary, however if the level of attendance continues to be unsatisfactory after barriers have been addressed/removed/resolved, we will be required to collate evidence of non-attendance and report the information to the LA. The LA will then consider whether a prosecution is appropriate under their statutory duty within **Section 444(1) or (1a) of the Education Act 1996.**

g) Legal action is always a last resort but may be used where:

- i) Level of **unauthorised** absence leads to an unauthorised absence rate of **10%** or more, **overall**, and if all support or alternatives have been considered and/or exhausted.
- ii) Level of **unauthorised** absence leads to an unauthorised absence rate of **10%** or more,

**within** a minimum period of 10 school weeks (this equates to a level of 90% attendance, or below). This is usually more than one instance of absence (e.g. multiple single days/bouts of absence) but a single unauthorised absence event of at least 5 consecutive days (10 consecutive sessions) can be used up to 2 penalty notices may be issued in any academic year but it may not be deemed appropriate to do a 2<sup>nd</sup> PN if the 1<sup>st</sup> one did not affect change; in these cases, any subsequent action would be via the Section 444(1) or (1)a route through the Magistrates' Courts.

- iii) Persistent **late** arrival at school after the register has closed (coded as U) contributes to a level of unauthorised absence at **10%** or above and would be dealt with as detailed in g) i) or ii);
- iv) Pupils identified in a public place whilst externally **suspended** from school (during the first five days of the suspension period) without reasonable justification, may also be subject to a Penalty Notice.
- v) Absence meets i) or ii) criteria above and a formal Family Court Order (e.g., an Education Supervision Order) is deemed to have potential to reinforce support for parents to improve their child's attendance at their education using co-parenting by the LA.

#### 5) **Guidance and Government Expectations relating to attendance:**

- a) Our academy trust board and/or governing body will have high expectations for attendance at our schools. The Government expects them to:
  - Recognise the importance of school attendance and **promote** it across the trust/school's ethos and policies.
  - Ensure that school leaders fulfil their **expectations** and statutory duties.
  - Regularly **review** attendance data, discuss, and challenge and help to focus improvement efforts where needed most.
  - Ensure all academy staff receive adequate **training** on attendance.
  - **Share** effective practice on attendance management and improvement across the trust/schools.
- b) The Government expects all schools to:
  - Fulfil their responsibility to **proactively manage** and improve attendance across their school community.
  - Consistently **promote** the benefits of good attendance as a whole school culture
  - Have a clear attendance policy, setting high **expectations** for every student.
  - **Communicate** those expectations clearly and consistently to students and parents.
  - Regularly and systematically **analyse** attendance data to **identify** patterns to focus their improvement efforts and to identify students who require support or strategies.
  - Ensure registers are **accurate**.
  - Build strong **relationships** with families to enable barriers to education to be removed.
  - **Share** information and work effectively with the LA and other local partners to address barriers to attendance and **prevent** students becoming persistently absent.
  - Take **early** action to explore absence and enforce as a last resort, where required.
- c) SHSCC's member of the senior leader team who is responsible for promoting good attendance is **Anna Wahlandt**.
- d) Sir Harry Smith Community College follows a stepped process within our **Attendance Welfare Procedures** (see Appendix A – STEPS 1-5) which help us to manage absence with support as the first and main aim. Support can be both in-school interventions and Local Authority/external agency support using early help pathways by completing an **Early Help Assessment** (EHA (formerly known as CAF)). This EHA process assists in the assessment of need, to enable appropriate support to be considered, given, or referrals to be made. We will **assist** parents and students in the removal of any barriers preventing regular attendance by offering support in respect of safeguarding, attendance, SEND, behaviour, and welfare within all the above processes.
- e) Sir Harry Smith Community College will **track and monitor** student attendance levels to identify, discuss, action, and highlight concerns that may require support to improve using the above preventative pathways. **Initial** concerns will be discussed with parents/carers by telephone, email and/or letter (Amber 1 /STEP 1); this will be followed up (depending on age) with student discussions; and then further letters and informal (Amber 2/STEP 2) and formal (Red 1/STEP 3) meetings with parents/carers, if concerns continue (not applicable for Term Time Single Period Absence Requests unless the request is being dealt with as part of a wider absence concern). Where absence continues and all support has failed or been exhausted, legal action may be considered (Red 2/STEP

- f) 4 & 5).
- g) At Sir Harry Smith Community College we will support the **re-integration** of students sensitively after an absence and involve all appropriate staff, giving access to **reasonable adjustments** as and when they are appropriate. Adjustments are varied and will be school and/or situation **dependent** as to what is available. These may include reintegration support (e.g., allocated staff contact, toilet passes, quiet space/time out card, emotional literacy, talk time), a reintegration timetable (e.g., adjustments to morning routine in school, start/finish times, lessons), counselling and/or mentoring services or referrals to external providers of support.
- h) If a student is on a **bespoke** timetable due to other appropriate provision being provided, or a reduced reintegration or support plan being in place, some official registration sessions may be coded as 'C2' for 'other authorised absence'; this is because they are not expected to attend the session at that point in the day which coincides with the official registration. This may cause their individual attendance level to be affected but where this happens, students will not be penalised with negative actions for these absences, and they will **not** be taken into account when using data to **recognise** attendance efforts. However, it is important they attend the sessions they are expected to attend.
- i) All reduced timetables will be **jointly agreed** with parents/carers, be **staged** to support the student to increase steadily (but timely) and be working towards a specific end date of either full time in school or full-time appropriate education, as per evidence suggestions. Sir Harry Smith Community College refers to DfE **Guidance on Reasonable Adjustments and Timetables** and will use the **LA Reduced Timetable Forms** (often known as Individual Alternative/Access to Education Plan (IAEP)) to ensure a clear plan is agreed and in place and 6 weekly reviews (or sooner if the plan is not working) are held. It will also detail responsibilities for safeguarding the child when they are not on the academy site and what education is being provided. A copy of which will be submitted to the academies respect LA where required.

## 6) Registration & Punctuality

- a) Sir Harry Smith Community College will keep **accurate** registers in accordance with government regulations. The legal registration will be taken twice during the academy day; morning session and afternoon session – please see Annex C about attendance information for detailed registration times.
- b) Students may generally enter the College sites after 8am. Morning registration takes place during the first 30 minutes of the school day during a tutor time. There is a **legal** requirement for students to attend registration sessions unless alternative individual arrangements are made locally.
- c) Poor punctuality is **not** acceptable. Any student arriving within 30 minutes of the register opening in the morning or 15 minutes after the register opens in the afternoon, will be deemed as 'late' and therefore will be **coded as 'L'** on the register; poor punctuality will cause a consequence e.g., a discussion, a detention or time re-payment.
- d) Any student arriving after the register closes without a verified reason will be marked as '**unauthorised late**' and **coded as 'U'**. A 'U code' constitutes an **unauthorised absence** for the whole session due to missing the legal registration period; legal action may be taken for continued U code absences. Please note for the purposes of safeguarding and fire regulations the U code shows the student is **on site** even though the session is classed as an absence.
- e) Parents/carers are **required** to **notify** their academy of their child's absence **every morning** of absence, giving the reason. If no call is received, for the purposes of keeping the child safe, it must be assumed that the child is on their way to school and if they do not arrive, the absence will be **followed up** with a telephone call by 9.30am. During or after any period of absence it is helpful if Parent/carers confirm the reason for the absence in writing (e.g., a written note or email) for school records.
- f) When a child is absent, **absence calls** are made as detailed above, if contact is **not** achieved at any point between day 1 and 3 of absence, or if general absence level is a concern, a 'Safe and Well Home Visit' will be made to confirm the safety of the child.

## 7) Definitions of absence, types of absence and persistent absence:

- a) Every half-day = one session. One whole day = two sessions. Absence from school has to be classified by the school (not by parents/carers) as either AUTHORISED or UNAUTHORISED. This

is why information about the cause of any absence is always required, preferably in writing and supported by evidence wherever possible at parents/carers cost.

- b) An **Authorised** absence may be for illness, medical/dental appointments (which unavoidably fall within the school day), emergencies or other exceptional cause. However, the College's Principal reserves the right to decide whether an absence should be authorised as per the DfE Guidance. Although reasons given for absence will be recorded, the absence **may** not be authorised, if the reason is not deemed appropriate, reasonable, or if there are ongoing attendance concerns. This may be where absences for illness or other circumstances become **frequent**, thus giving the College reason to fulfil their duty to explore and subsequently support or challenge, as required (as detailed in paragraph 5 e) of this policy). 'Exceptional Circumstances' are not specified by the Government therefore the Principal will make a decision based on the information and evidence provided by parents/carers, ensuring they consider each individual request and are consistent with their decisions across all applications for leave within the college.
- c) An **Unauthorised** absence is where the Principal or their designated staff members do **not** consider it reasonable to be absent due to the reason given, or overall level of concern, and/or for which no "Term Time Absence Request" has been received. This includes but is not limited to: parents/carers keeping children off school unnecessarily, truancy before or during the school day, unexplained absences, late arrival at school after registration has closed, shopping, looking after other children, birthdays, day trips, cheap holidays, shopping trips, visiting or being visited by family and friends, medical treatment overseas (unless part of emergency treatment whilst abroad on an authorised absence) or absence that has no exceptional circumstance evident. **Unauthorised absence** can lead to the college **submitting evidence** to their LA for financial penalties/sanctions and/or legal proceedings to be considered using the **Police and Criminal Evidence Act 1984 (PACE)**.
- d) **Persistent Absence (PA)** is where a student misses **10%** or more of their education within a specific period of time (e.g. whole academic year, term, or for a minimum 10-week period) for whatever reason (authorised or unauthorised). Absence at this level may cause damage to the student's educational prospects and parental support and co-operation is essential to ensure the student is supported to access their education. Any student that is **at risk** of moving towards the PA level is given priority and is monitored carefully using the LA attendance welfare system (see paragraph 5d&e); at SHSCC this can also be combined with tutor or academic mentoring, as absence affects attainment.
- e) **Severe Absence** is where a student misses **50%** or more of their education within a specific period of time (e.g. whole academic year, term, or for a minimum 10-week period) for whatever reason (authorised or unauthorised). Absence at this level is very likely to be **detrimental** to the student's educational prospects and full parental support and co-operation is essential to ensure the student and family access a '**whole family plan**' to ensure appropriate support and education is accessed. Where **all** avenues of support fail but severe absence continues for unauthorised reasons, this **may** constitute 'Neglect' depending on the circumstances, and both schools and LAs should consider whether the safeguarding issues require a full Children's Social Care Assessment.
- f) **Medical Evidence** can be helpful in demonstrating why legal action is not being considered however, it will only be 'required' to authorise absences **IF** attendance concerns have reached a **Parental Attendance Agreement (Voluntary Parent Contract)** meeting level, **or** if a student's attendance is within the legal arena i.e. an official verbal or written warning has been given (Step 3 of Annex A). Any **cost** of providing evidence will be the responsibility of the parent/carer however, support to request the evidence in the interests of 'working together to safeguard children' can be given by the academy, if required.
- g) **Medical and SEND** barriers to physical attendance in school (e.g. where a student has a **long-term** medical condition, or their SEND support requires more appropriate education) will be explored and supported using the DfE Guidance *Ensuring a good education for children who cannot attend school because of health needs* and *Supporting Pupils at School with Medical Conditions* Where a child is 'known' to have a **medical or SEND** barrier to attending school (this does not necessarily mean they have yet obtained an official diagnosis), these guidance documents and policies support schools to ensure that **access to education** is provided whilst the child is being supported, being assessed and/or awaiting treatment.



- h) **Child Missing Education (CME)** is where a child's whereabouts becomes unknown (address no longer confirmed) and the school do not have reason to believe the child is not attending for illness or unavoidable causes. **Section 10 of the Children Act 2004** places a duty on LAs and Schools/Academies to follow procedures designed to carry out reasonable enquiries. This will include telephone and email contact to all registered contacts, home visit/safe and well check, letter to last known address (GDPR compliant) if it has not been possible to confirm the family have moved. It may also include gathering information from the child's peers, the family's landlord (private or social housing providers) and other local stakeholders who are involved with the family (observing GDPR but being mindful that safeguarding duties allows the sharing of information). Each enquiry will be recorded to show completion. **A CME child is a serious safeguarding concern** and if there is reason to believe a child is in immediate danger or at risk of harm, a referral to Children's Social Care (or the Police if appropriate) will be considered.
- i) Where CME is **suspected**, reasonable enquiries must be carried out within the **first 10 days** of a child being absent from education (although as a College we act **after day 3** of absence, wherever possible), academies must attempt to locate the child using the above suggestions in the first instance. On day 10 of unauthorised absence where no contact has been established with parent/carer, a child **must** be reported to the Local Authority as a child missing education.
- j) Once a child has been reported as CME they will be held on roll until their destination school has been confirmed or their **20<sup>th</sup> day** from the last day of attendance if their destination remains unknown prior to deletion, following LA confirmation to do so, as per '9b' of this policy. The child's details will be **logged** onto the School to School (S2S) DfE Portal to enable another school or LA to 'claim' the child once located. Where the child is located and their address is **confirmed** within the College's area, the child will remain on roll and attendance legal procedures will be considered for non-attendance.

#### 8) Requests for absence during school term

- a) Sir Harry Smith Community College actively **discourages** absence during term time. It is considered that each student should attend **all** sessions regularly and punctually to avoid disruption and maximise their educational achievement.
- b) Parents/carers are required to complete a **Term Time Absence Request Form** (see Annex B) in advance of planned absence taking place; we ask that this is at least three weeks prior to any absence being taken wherever possible, to enable the college to consider and respond to the request in writing. Parents must detail and evidence the **exceptional circumstance** of the request, ideally at the time of the request, or if subsequently requested. (Please refer to paragraph 7 b) & c) for information on exceptional circumstances)
- c) In accordance with **The Education (Pupil Registration) (England) Regulations 2006** & subsequent Amendments, Sir Harry Smith Community College is unable to authorise any period of absence **unless** it is for exceptional circumstances, and in advance, as per the following extract from the above-mentioned regulations:

##### *Leave of Absence*

*7. (1) Leave of absence may only be granted by a person authorised in that behalf by the proprietor of the academy. (i.e., Head teacher/Principal)*

*(1A) Subject to paragraph (2) (which relates to employment abroad), leave of absence shall not be granted unless-*

*(a) an application has been made in advance to the proprietor (Head teacher/Principal) by a parent with whom the pupil normally resides; and*

*(b) the proprietor, or a person authorised by the proprietor in accordance with paragraph (1), considers that leave of absence should be granted due to the exceptional circumstances relating to that application.*

- d) The Principal (or other designated/authorised senior leader) of Sir Harry Smith Community College, will determine whether the request for leave meets "**exceptional circumstances**" criteria. However, guidance suggests that Principals should **not** consider as exceptional circumstances the examples listed in paragraph 7 c) of this policy. Parents/Carers may be required to attend a **meeting** to discuss the request in more detail with the Principal (or other designated/authorised person).



- e) Where the leave of absence request, or part thereof is **authorised**, parents/carers will be notified in writing detailing any restrictions set e.g., adhering to the dates requested. If restrictions are not adhered to, the leave may revert to unauthorised and may be dealt with as below.
- f) If the absence requested is **refused** the absence will be recorded as **unauthorised**. Where leave of absence is **unauthorised**, parents/carers will be notified in writing, and it will be dealt with in line with the **LA's Penalty Notice Code of Conduct** and the Anti-Social Behaviour Act as per Paragraph 4 of this policy. If the absence is below the LA minimum number of days for legal action, a period of 30 days monitoring will be put in place, which could subsequently cause legal action to be considered. **NB.** Previous prosecution for absence or repeated unauthorised leave requests (e.g., annual/multiple requests for leave) may result in a prosecution instead of a fine; this is the LAs discretion.

**Penalty Notice fines** are set by the Government; the school does not receive the fine. They are currently (as @ Aug 2024) £80 per child, per parent, if paid within 21 days of receipt of the notice; this rises to £160 per child, per parent, if paid after 21 days but within 28 days of receipt of the notice. For second offences of unauthorised term time leave (10 consecutive sessions or more) within a three-year rolling period, the fine is a flat £160 per parent, per child. For the third offence in a three-year rolling period, the referral will automatically be considered for prosecution in relation to Section 444 Education Act 1996. If the penalty is not paid in full by the end of the 28-day period, the Local Authority must either prosecute the persons to which the Penalty Notice was issued for the offence to which the notice applies or withdraw the notice. Following the receipt of all required documentation the Local Authority will decide whether to issue the requested Penalty Notice(s). The Local Authority will liaise directly with the College at each stage of following a penalty notice being issued.

**Please Note:** Only the Local Authority can withdraw a penalty notice and they can only withdraw it if; it ought not to have been issued i.e., no offence was committed; it has been issued to the wrong person; or it contains material errors.

- g) Where an absence is **suspected** of being for the purposes of leave and a request was not made, it is the parents/carers responsibility to disprove the suspicion by providing evidence that the absence was for an alternative exceptional reason. The absence will be recorded as unauthorised and dealt with as per Paragraph 4 of this policy.
- h) Where leave of absence is stated as **'for the purpose of religious observance'** Sir Harry Smith Community College will follow the guidance from their respective local authority. As a rule, **only one individual day**, exclusively set aside **by a religious body** will be accepted as a religious observance absence and there will be a maximum of three single days within a year that would be acceptable. Evidence from the religious body may be required.
- i) Children Who Have Not Returned from Overseas - Prior to following any off-roll procedures, the college will fully investigate the reason for travelling overseas in the first instance, if they are not already aware of the reason, and consider potential barriers preventing return travel that may be a result of government guidance in the UK or other country:
  - i) Following the investigation, if the reason for the initial travel was deemed, by the Principal, to be for an exceptional circumstance and evidence has been provided; the Principal will determine a reasonable return date and advise the parent/carer of their decision; the absence will be recorded as authorised. The college will keep in touch with the parent/carer on a regular basis to ensure that their return date to school remains on schedule and there is a smooth re-integration back into full time education.
  - ii) If following the investigation, the reason for initial travel is not deemed, by the Principal, to be an exceptional circumstance then the college will inform the parent/carer of the decision and the date which the child must return by also advising the absence will be recorded as unauthorised. The college will explain the risks and criteria concerning the potential of their child being taken off roll after 20 days of continuous unauthorised absence.
  - iii) If there is no communication from the parent/carer or there is no committed return date, and a pupil fails to return to school either after 10 days following a requested period of leave return date, or after 20 days of unrequested leave of absence, a referral to the Local Authority will be done as per the Children Missing from Education process.

## 9) Deletions from Register

- a) Under Section 8.-(1) (h), (i), (ii), (iii) of the Education (Pupil Registration) (England) Regulations 2006 should your child fail to return to school by the time that registration ends on the 20th day of absence

the school is permitted to delete your child's name from their register if their whereabouts are unknown.

- b) This is possible if your child(ren) has not returned by the date specified because the following applies under Section 8 (h) - that he/she/they will have been continuously absent from school for a period of not less than 20 school days and
  - (i) at no time was the absence during that period authorised by the proprietor in accordance with regulation 6 (2);
  - (ii) the proprietor does not have reasonable grounds to believe that the pupil(s) is/are unable to attend the school by reason of sickness, or any unavoidable cause;
  - (iii) both the proprietor of the school and the local education authority have failed, after reasonable enquiry, to ascertain where the pupil is;

By following this policy, Sir Harry Smith Community College is working in partnership with parents/carers, students and other agencies to promote maximum attendance as a priority in order to secure access to education and successful outcomes for all students.

#### **Attendance Policy Supporting Documents**

Annexes are subject to change without official ratification of the whole policy as they will need to be altered locally to link with each Local Authority as appropriate:

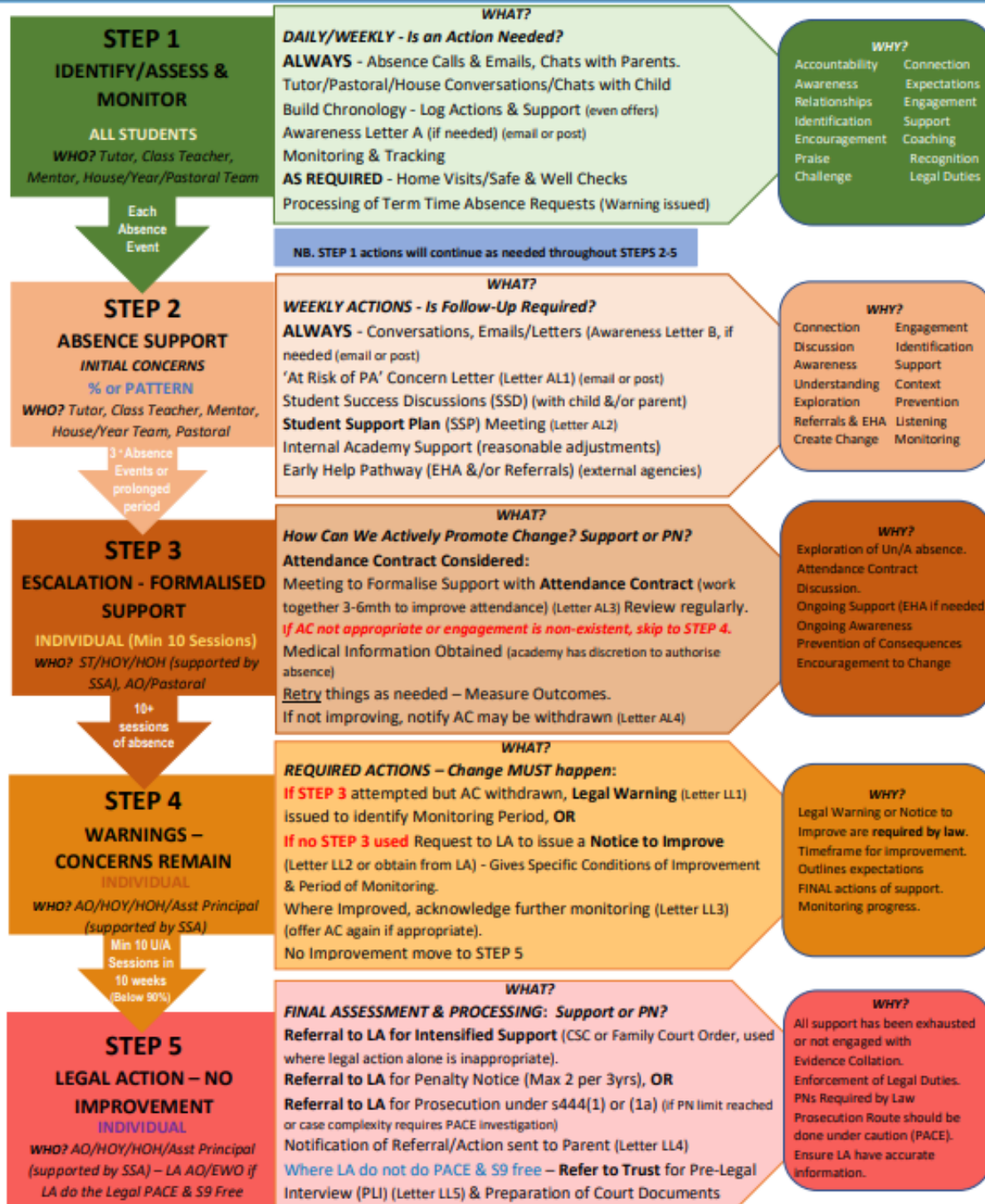
- Annex A** Attendance Welfare Procedures Summary
- Annex B** Term Time Absence Request Form
- Annex C** Individual Academy Contacts & Information in Respect of Attendance.
- Annex D** Roles and responsibilities

# Appendix A - Attendance Welfare Procedures Summary

## SUMMARY OF ATTENDANCE SUPPORT PROCEDURES (STEPS 1-5)

The trust procedures are based on a *relational needs-led approach* focused on communication, discussion & support using early help pathways with a 'stepped' process to identify concerns & take action to prevent escalation.

Attendance % is used as a **guide**, there needs to be a specific **TRIGGER** to justify an action e.g., the frequency or reasons etc. Each **ACTION** should be done ASAP after the trigger then, **MONITOR** & decide next action **weekly/fortnightly**.



## Appendix B – Term Time Absence Request Form

### TERM TIME ABSENCE REQUEST FORM AND PRE-REQUEST INFORMATION

<b>Student Name:</b> One form per student		<b>Date of Birth:</b>	
<b>Class/House/Tutor Group</b>		<b>Year Group:</b>	
<p><b>A Parent/carer is defined</b> under Section 576 of the Education Act 1996 as: the natural parent of a child, whether they are married or not; anyone who although not a natural parent, has parental responsibility for a child; any person who has care of a child or young person i.e. lives with and looks after the child (e.g., partner, step-parent, sibling over the age of 18 or grandparent).</p>			
<b>Parents(s)/Carer(s) &amp; Adults living with Child:</b>	<b>Parent /Carer 1</b> Tick Here <input type="checkbox"/> if you have PR	<b>Parent /Carer 2/ Adult Living with Child</b> Tick Here <input type="checkbox"/> if you have PR	
<b>Surname:</b>			
<b>First Name:</b>			
<b>First line of address &amp; Postcode:</b>			
<b>Telephone Contact No's:</b>			
<b>Email address Confirmation</b>			
<b>Written Language (if not English)</b>			
<b>Sibling(s) Name(s) (or other children in the same household) &amp; Year group(s), House, Form/Class:</b>			

<b>First Date of Absence</b>		<b>Last date of absence</b>	
<b>Please confirm the date your child will physically be back in school</b>			
<p><b>Purpose of Absence – Please ensure you detail specific reasons for the absence and what is exceptional about the circumstance.</b></p> <p><b>Please attach evidence that verifies why the absence is exceptional, especially why the absence cannot be taken during a school holiday period during the year. You may also attach a longer explanation if you wish.</b></p> <p><b>NB. Types of evidence can include booking details, flight documents, invitations, certificates, appointment letters.</b></p>			

### BEFORE SUBMITTING THIS REQUEST, PLEASE READ THE FOLLOWING TO ENSURE YOU ARE MAKING AN INFORMED DECISION / CHOICE

Please ensure you submit this request in ADVANCE of your child being absent from school. We ask for 3 weeks' notice for admin and discussion. Decisions will be notified in writing. You may be asked to supply further information or attend a meeting to discuss your request. Term time absence is strongly discouraged.

Academies adheres to DfE and LA Guidance, which includes the use of legal action and Penalty Notices (fines currently at a rate of up to £160 per parent, per child; failure to pay may result in court proceedings). The policy is available via our website.

## TERM TIME ABSENCE REQUEST FORM AND PRE-REQUEST INFORMATION

**IMPORTANT:** If absence is not requested in advance and it is suspected that absence from school is due to unauthorised reasons e.g., holiday or unexplained absence, you will be required to provide evidence to prove the absence was for authorised exceptional reasons; failure to do so may result a Penalty Notice being requested/issued.

1. Parents/Carers have a legal duty to ensure that their compulsory school age children receive suitable fulltime education through regular attendance at school or otherwise (e.g., independent, or elective home education) (Section 7 Education Act 1996). If a compulsory school age child fails to attend regularly, the parent/carer may be guilty of an offence (Section 444(1) Education Act 1996). Caselaw: *IoW v Platt* 2017 determined regular attendance as “in accordance with the rules prescribed by the school” i.e., every day that the school is open.
2. All requests will be considered individually, based on the information and evidence provided. Sibling details are required for liaison under ‘Working Together to Safeguard Children’. There is no entitlement to leave of absence and Principal/Headteachers are unable to authorise absence unless it is evidenced that the request an exceptional circumstance (The Education (Pupil Registration) (England) Regulations 2006 & subsequent amendments). Students should aspire to achieve a minimum of 96% attendance.
3. If the absence requested is refused the absence will be recorded as unauthorised. All unauthorised absence carries a warning that legal action may be taken but this will depend on the number of sessions/days absence requested. If the absence is below the LA minimum number of days for legal action, a period of 30 days monitoring will be put in place, which could subsequently cause legal action to be considered. NB. Previous prosecution for absence or repeated unauthorised leave (e.g., annual/multiple requests for leave) may result in prosecution instead of a fine; it is at the LAs discretion.
4. If the absence requested is authorised, the requested dates must be adhered to. Failure to do so will cause additional absences to be recorded as unauthorised, which may lead to a legal sanction being imposed if you cannot evidence the absence was for exceptional reasons (at your own cost).
5. If unauthorised absence is over 20 days (or 10 days after expected return) and exceptional circumstances are not applicable, and your child’s return to school cannot be confirmed, they may be at risk of losing their school place and being registered as ‘Child Missing Education (CME)’ with the LA.
6. Any parent who takes a child out of school for term time leave for 10 consecutive sessions (5 days) or more, not authorised by the school (under exceptional circumstances rule), may receive a Penalty Notice.
7. If 3 or more term time leave Penalty Notices have been issued over a 3-year period then prosecution in relation to Section 444 Education Act 1996, may be considered as an alternative to a Penalty Notice fine being issued. Where a parent takes a child out of school during term time for an extended period (20 days or more), not authorised by the school, prosecution in relation to Section 444 Education Act 1996, may also be considered.

**DECLARATION:**

I /We have read all the Pre-Request Information and understand that a penalty notice may be automatically requested if this request is refused, and my/our child is absent. I/We also understand that if this is a repeated request for leave (annually or multiple), the LA may choose not to fine and do a prosecution under s444(1)/(1a) of the Education Act 1996 instead.

All parents/Carers and adults living with the child must sign below:

<b>Signed</b>		<b>Date:</b>	
<b>Signed</b>		<b>Date</b>	

<b>Date received by the school</b>		<b>Request received in advance of travel? (3 weeks)</b>	<b>Yes /No</b>	<b>Number of school days requested</b>	
<b>Current Attendance</b>		<b>Last year’s attendance (if relevant e.g. Autumn term)</b>	<b>Conversation or meeting required to discuss reasons /gain more info</b>		<b>Yes /No</b>
<b>Specific reason for decision</b>			<b>Decision:</b>		<b>Agreed / refused</b>
<b>Date decision letter posted to each parent/carer</b>			<b>Date Email Copy Sent (if applicable)</b>		
<b>Principal’s signature</b>			<b>Date:</b>		
<b>Leave taken:</b>	<b>Yes/No</b>	<b>Absence (G/H/C) &amp; reason noted on student MIS Record</b>	<b>Yes/No</b>	<b>Return date diarised: ( to consider next action eg PN, Monitor etc)</b>	<b>Yes / No</b>

## Appendix C

Morning Registration is 8.30 – 9.00am

Afternoon Registration is taken at 14.00

## Appendix D

### Attendance: Roles and Responsibilities

#### Form Tutor/Teacher

- Mark registers accurately in tutor time and subject lessons;
- Practise good housekeeping - chase up absence letters for coding, pass on letters for filing;
- In the weekly pastoral meeting, or earlier if needed, inform the House Leader of any students giving cause for concern;
- Report attendance data to students weekly via tutorial, and parents/carers during mentoring, Parents' Evenings and Tutor Day.

#### SIMS Secretary

- Read OMR1 sheets;
- Liaise with form tutors regarding students who are late (Years 7-13);
- Ensure all registers are complete and follow-up where necessary;
- Ensure codes are recorded accurately (**see Appendix E**)
- Input all missing marks after returns from Form Tutors and teaching staff;
- First day contact students checked and telephoned where necessary;
- Contact all students (Year 7 & Vulnerable students priority) on first day of absence;
- Liaise with Attendance and Behaviour Officer weekly and monitor those students giving cause for concern.

#### House Leader

- Liaise with form tutors over students who are late (Years 7-13);
- Liaise with SIMS Secretary and Attendance Officer over targeted students **on 90% attendance or below**;
- Use assemblies regularly to reinforce the importance of punctuality and good attendance and praise students with consistently high punctuality and/or attendance;
- Monitor students and raise any concerns with EWO;
- Assist Attendance Officer in arranging meetings with students and/or parents/carers;

- Follow up all requests for term time absence.
- **Daily** – SIMS Secretary, to investigate any immediate causes for concern;
- **Weekly, with Attendance Officer:**
  - To discuss cause for concern cases and general attendance issues, PA and FSM focus;
  - To analyse weekly and termly attendance data;
  - Year Leader to ensure appropriate level of response to attendance concerns;
  - Year Leader in order to ensure all meetings take place in an efficient manner.

### **Attendance Officer**

- Prepare, analyse and bring relevant data to weekly meeting House Leaders
- Liaise with House Leaders to discuss causes for concern and decide appropriate level of intervention;
- Follow escalation process with students and families giving cause for concern;
- Set targets for those students whose attendance is 90% and below;
- Liaise with Cambs CC Senior EWO when absences persist, and meetings / letters have not had the desired impact (attendance is below 90% over previous 8 weeks);
- Prepare half-termly report summarising individual cases, level(s) of intervention and impact for Assistant Head;
- Prepare case studies on three individual cases (including PA and FSM) on a termly basis.

### **Deputy Principal**

- Meet Attendance Officer regularly (minimum twice per half term) to discuss individual cases and overview of attendance data;
- Collate summary cumulative %/sessions missed (high PA) and individual attendance data;
- Analyse data to identify trends, areas of improvement and areas needing improvement;
- Investigate strategies to improve attendance of students at the College;
- Liaise with House Leaders, Attendance Officer, Inclusion Unit Manager regarding individual cases and trends in sub-groups (PA, FSM, gender, year group);
- Report impact of strategies to SLT and Governing body.



## Appendix E

<b>Attending the school</b>	
/ \	Present at the school / = morning session \ = afternoon session
L	Late arrival before the register is closed
K	Attending education provision arranged by the local authority
V	Attending an educational visit or trip
P	Participating in a sporting activity
W	Attending work experience
B	Attending any other approved educational activity
D	Dual registered at another school
<b>Absent – Leave of absence</b>	
C1	Leave of absence for the purpose of participating in a regulated performance or undertaking regulated employment abroad.
M	Leave of absence for the purpose of attending a medical or dental appointment
J1	Leave of absence for the purpose of attending an interview for employment or for admission to another educational institution
S	Leave of absence for the purpose of studying for a public examination
X	Non-compulsory school age pupil not required to attend school
C2	Leave of absence for a compulsory school age pupil subject to a part-time timetable
C	Leave of absence for exceptional circumstance
<b>Absent – other authorised reasons</b>	
T	Parent travelling for occupational purposes
R	Religious observance
I	Illness (not medical or dental appointment)
E	Suspended or permanently excluded and no alternative provision made
<b>Absent – unable to attend school because of unavoidable causes</b>	
Q	Unable to attend the school because of a lack of access arrangements
Y1	Unable to attend due to transport normally provided not being available
Y2	Unable to attend due to widespread disruption to travel
Y3	Unable to attend due to part of the school premises being closed
Y4	Unable to attend due to the whole school site being unexpectedly closed
Y5	Unable to attend as pupil is in criminal justice detention
Y6	Unable to attend in accordance with public health guidance or law
Y7	Unable to attend because of any other unavoidable cause
<b>Absent – unauthorised absence</b>	
G	Holiday not granted by the school
N	Reason for absence not yet established
O	Absent in other or unknown circumstances
U	Arrived in school after registration closed
<b>Administrative Codes</b>	
Z	Prospective pupil not on admission register
#	Planned whole school closure

