



ATTENDANCE POLICY

This is a Category B policy. It applies to all schools in the Trust, with school-specific elements approved by the Local Academy Committee. It is a statutory policy which must be published on the school's website.

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Approved by St Hilary School Local Academy Committee for the (2024/25) academic year	
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Document Control

Document version numbering will follow the following format. Whole numbers for approved versions, eg 1.0, 2.0, 3.0 etc. Decimals will be used to represent the current working draft version, eg 1.1, 1.2, 1.3 etc. For example, when writing a procedural document for the first time the initial draft will be version 0.1.

The table below provides details of the changes made to this document, to inform those reviewing and approving the document.

Document Edition	Section	Details of Change
0.1	All	New draft policy
1.0	All	Approved by the Trust Board on 7 July 2022
1.1	All	Updated in light of new DfE guidance for September 2022
2.0	All	Updated policy approved by the Trust Board on 12 October 2022
2.1	All	Updated draft based on new guidance from LA and Headteacher review
3.0	All	Approved by Trust Board (Education Committee) 31 October 2023
3.1	All	Updated in line with statutory changes from 19 August 2024 and in consultation with EWO.
4.0	All	Approved by Trust Board 30 September 2024

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1. Introduction

The Leading Edge Academies Partnership (the 'Trust') is a group of six distinct and unique schools located in beautiful coastal and island settings in Cornwall and the Isles of Scilly. We are fortunate to include a mix of primary and secondary schools, as well as an all-through school with boarding provision and off island bases. This diversity makes for a dynamic and varied perspective.

We offer a values-based education to the communities we serve and welcome employees, pupils, parents/carers and volunteers from all different ethnic groups and backgrounds. The Trust achieves its vision and mission through co-construction, with everyone empowered to shape the future and contribute towards the Trust's success.

The term 'Trust Community' includes all employees, trustees, governors, pupils, parents/carers, volunteers and visitors.

We are a values-based Trust, which means all actions are guided by our three 'Es' as follows:

- **Excellence** – 'Outstanding quality'
- **Evolution** – 'Continuous change'
- **Equity** – 'Fairness and social justice'

This policy is based on the value of '**Equity**'

This policy should be read in conjunction with the following policies:

- Child Protection and Safeguarding
- Supporting Children with Medical Needs
- Children with Health Needs Who Cannot Attend School
- Suspensions and Exclusions
- Equality and Diversity

2. Policy Statement

Leading Edge Academies Partnership is committed to igniting aspiration and ambition in our communities. This includes promoting and safeguarding the welfare of all our children.

St Hilary School is committed to providing an education of the highest quality for all its pupils and recognises this can only be achieved by supporting and promoting excellent school attendance by all. Only by attending school regularly and punctually will children and young people be able to take full advantage of the educational opportunities available to them. High attainment depends on good attendance.

This policy applies to all registered pupils of the school and is made available to all parents/carers on our school website.

Although parents/carers have the legal responsibility for ensuring their child's good attendance, the whole school community; pupils, parents/carers, tutors, teachers, support staff and governors, work together with other professionals and agencies to ensure that all children are encouraged and supported to develop good attendance habits. Procedures in this policy are followed to ensure this happens.

Children who are persistently late or absent soon fall behind with their learning. Children who are absent from school frequently develop large gaps in their learning, which will impact on their progress and their

ability to meet age-related learning expectations. A pupil whose attendance drops to 90% each year will, over their time at school, miss just over four half-terms of learning or 19 full school days in each year.

The pupils with the highest attainment at the end of Key Stage 2 and Key Stage 4 have higher rates of attendance over the key stage compared to those with the lowest attainment.

3. Legislation and guidance

This policy meets the requirements of the [working together to improve school attendance](#) guidance from the Department for Education (DfE), and refers to the DfE's statutory guidance on [school attendance parental responsibility measures](#). These documents are drawn from the following legislation setting out the legal powers and duties that govern school attendance:

- Part 6 of [The Education Act 1996](#)
- Part 3 of [The Education Act 2002](#)
- Part 7 of [The Education and Inspections Act 2006](#)
- [The Education \(Pupil Registration\) \(England\) Regulations 2006 \(and 2010, 2011, 2013, 2016 amendments\)](#)
- [School Attendance \(Pupil Registration\) \(England\) Regulations 2024](#)
- [Education \(Penalty Notices\) \(England\) \(Amendment\) Regulations 2024](#)
- [The Education \(Penalty Notices\) \(England\) \(Amendment\) Regulations 2013](#)

This policy also refers to the Local Authority's Local Code of Conduct for issuing fixed penalty notices in relation to school attendance.

4. Aims and Objectives

This attendance policy ensures that all staff, parents/carers and governors in our school understand the actions necessary to promote good attendance.

Through this Policy and our work to maintain and promote good attendance and punctuality we aim to:

- Support the safeguarding of all children and families through ensuring that pupils are in school.
- Promote a positive and welcoming atmosphere in which pupils feel safe, secure, and valued.
- Raise the awareness of parents, carers and pupils of the importance of uninterrupted attendance and punctuality at every stage of a pupil's education and the responsibility placed on parents/carers for making sure their child attends regularly and punctually.
- Create an ethos in which good attendance and punctuality are recognised as the norm and seen to be valued by the school and the community.
- Improve pupil achievement by ensuring high levels of attendance and punctuality.
- Work in partnership with pupils, parents/carers and staff and maintain effective means of communication so that all pupils realise their potential, unhindered by unnecessary absence.
- Establish a pattern of monitoring attendance and ensure consistency in recognising achievement and dealing with difficulties.
- Recognise and raise awareness of the key role of all staff, especially class teachers and our attendance officer, in promoting good attendance.
- Equip pupils with the life skills needed to take responsibility for good school attendance and

punctuality appropriate to the child's age and development.

- Develop and implement procedures for identifying, reporting and reviewing cases of non-attendance, poor attendance and persistent lateness.
- Support pupils who have been experiencing any difficulties at home or at school that are preventing good attendance by identifying barriers to school and developing strategies to overcome these.

5. Roles and Responsibilities

All members of our school community have a responsibility for identifying trends in attendance and punctuality. The following includes a more specific list of the kinds of responsibilities which individuals might have.

5.1 Parents/carers

Parents/carers are responsible for:

- Ensuring that their child attends school regularly and punctually, unless prevented from doing so by illness or attendance at a medical appointment.
- Contacting the school office on the first morning of absence and on any subsequent days where required by the school.
- Informing the school in advance of any medical appointments in school time, providing evidence (e.g. appointment card/letter/prescription paperwork or packet) where required.
- As far as possible ensuring that non-urgent medical or dental appointments are made outside of the school day or avoiding registration periods.
- Making requests for authorised absence in term time only in exceptional circumstances.
- Talking to the school as soon as possible about any pupil's reluctance to come to school so that problems can be quickly identified and dealt with.

5.2 Headteacher/Principal

The Headteacher/Principal is responsible for:

- Implementing this policy across the school.
- Monitoring school-level absence data and reporting it to governors (the Local Academy Committee) and the Trust Board.
- Ensuring staff receive appropriate training so that they can fulfil their duties set out in this policy.
- Supporting staff with monitoring the attendance of individual pupils.
- Monitoring the impact of any implemented attendance strategies.
- Requesting that the Local Authority issue a fixed penalty notice, where necessary.
- Appointing a senior leader as Senior Attendance Champion.

5.3 Senior Attendance Champion

The Senior Attendance Champion is responsible for:

- Championing and improving attendance in school.
- Setting a clear vision for improving and maintaining good attendance.

- Establishing and maintaining effective systems for tackling absence and making sure they are followed by all staff.
- Liaising with pupils, parents and external agencies where needed.
- Maintaining a strong grasp and oversight of absence data.
- Regularly monitoring and evaluating progress, including the efficacy of the school's strategies and processes.

The Senior Attendance Champion at St Hilary School is Ashley Larter who can be contacted via ashleylarter@st-hilary.cornwall.sch.uk

5.4 Class teacher/tutor

Class teachers/tutors are responsible for:

- Welcoming pupils at the beginning of the day and for each lesson.
- Celebrating high attendance rates both verbally and through the school's rewards system.
- Recording attendance on a daily basis, using the correct codes.
- Highlighting concerns regarding attendance with parents/carers and or pupils.
- Discussing attendance during parent consultations or at individual parent meetings.
- Raising concerns with the Attendance Champion where necessary.

5.5 Attendance Officer

The school Attendance Officer is responsible for:

- Ensuring that all attendance data is accurately recorded on the school's attendance software.
- Monitoring and analysing attendance data (see section 7)
- Providing regular attendance reports to school staff and reporting concerns about attendance to the Senior Attendance Champion and the Headteacher/Principal.
- Collating and recording registration and attendance information, including pupils who arrive late or go home early.
- Recording communication from parents/carers regarding pupil absence.
- Following up unexplained absences through communication to parents via telephone calls or email.
- Contacting families where concerns are raised about absence including arranging meetings to discuss attendance issues.
- Sending out standard letters and other communication regarding attendance.
- Working with education welfare officers to tackle persistent absence

The attendance officer is Jay Waters and can be contacted via secretary@st-hilary.cornwall.sch.uk

5.6 The Trust

The Trust Board is responsible for:

- Recognising the importance of school attendance and promoting it across the Trust's policies and ethos
- Ensuring school leaders fulfil expectations and statutory duties
- Regularly reviewing, discussing and challenging attendance data, and helping school leaders focus improvement efforts on the pupils or cohorts who need it most.
- Making sure staff receive adequate training on attendance
- Sharing effective practice on attendance management and improvement across schools.

The Trust will monitor implementation of this policy in all Trust schools, and implementation of the policy at school level will also be monitored by the Local Academy Committee. The Local Academy Committee will also use its delegated powers to monitor and challenge attendance at school level.

This policy will be reviewed and approved annually by the Trust Board. It is a Category B policy and applies to all schools in the Trust, with school-specific elements approved by the Local Academy Committee.

6. Attendance register

We will keep an attendance register and place all pupils onto this register.

Pupils must arrive in school by 8.40am on each school day.

We will take our attendance register at the start of the first session of each school day and once during the second session (after lunchtime).

The register for the first session will be taken from 8.40am and will be kept open until 8.55am. The register for the second session will be taken at 1pm (infants) and 1.15pm (Juniors) and will be kept open until for 15 minutes after the session has started.

The register will mark whether every pupil is:

- Present
- Attending an approved off-site educational activity
- Absent
- Unable to attend due to exceptional circumstances

Any amendment to the attendance register will include:

- The original entry
- The amended entry
- The reason for the amendment
- The date on which the amendment was made
- The name and position of the person who made the amendment

We will also record:

- The reasons given by parents/carers for absence and whether the absence is authorised or not
- The nature of the activity if a pupil is attending an approved educational activity
- The nature of circumstances where a pupil is unable to attend due to exceptional circumstances

Where pupils are not in school, this will be recorded using the appropriate national attendance and absence codes from regulation 10 of the School Attendance (Pupil Registration) (England) Regulations 2024.

All attendance records are documented using electronic information management software, which is supported by the Local Authority. Registers are legal records and every entry in the attendance or admission register will be preserved for 6 years from the date the data was entered.

7. Lateness

Pupils who are persistently late miss a significant amount of learning, often the most important aspect, as the beginning of the day is where the teacher explains the learning and what each child is expected to achieve.

Any pupil who comes into school after 8.40am will be marked as late in the attendance record. Records are kept of those pupils who are late and this is documented on the electronic attendance register for each pupil (attendance code L).

Any child who arrives for school later than 9.10am will be marked as having an unauthorised absence for the morning (attendance code U).

8. Medical appointments

Wherever possible routine dentist or doctor appointments should be made outside of the school day. Where this is not possible pupils should still attend school before and/or after their appointment as appropriate.

Pupils who have attended a medical appointment and subsequently come to school after the register closes will have the absence recorded as a medical absence (attendance code M).

If a pupil is present at registration but then leaves the school to attend a medical or dental appointment during the session in question, no absence is recorded for that session.

9. Absences

9.1 Definitions

Authorised absence

- An absence is classified as authorised when a pupil has been away from school for a legitimate reason and the school has received notification from a parent or carer. For example, illness, unavoidable medical/dental appointments.
- Only the school can authorise an absence. Parents/carers do not have this authority. Consequently, not all absences supported by parents/carers will be classified as authorised. Where an absence is not authorised, we will inform parents/carers of this.

Unauthorised absence

- An absence is classified as unauthorised when a pupil is away from school without the permission of the school. Unauthorised holiday constitutes an unauthorised absence.
- The absence is unauthorised if a pupil is away from school without good reason, even with the support of a parent.

9.2 Notifying an absence

Where a child is absent from school, parents/carers must contact the school by 8.40am via the following:

- Email: secretary@st-hilary.cornwall.sch.uk
- Phone (either live or answer machine message): 01736 763324

Parents/carers should contact the school on the first day of their child's absence and on subsequent days where requested by the school.

It is important that parents/carers provide full details of the reason for a child's absence. Please avoid using phrases such as "poorly" or "sick". The reasons given will be recorded on the attendance register.

All absences are recorded as either authorised or unauthorised absences. The Headteacher/Principal has the responsibility to determine whether absences are authorised or unauthorised.

From time to time the school may ask parents/carers to provide medical evidence for periods of illness-related absence. This evidence could be a doctor's note, appointment card or copy of a prescription. We may seek written permission from you for the school to make their own enquiries. Where appropriate evidence is not provided, these absences will be unauthorised.

Where we have not received reasons for a child's absence within five school days, the absence is recorded as unauthorised (attendance code O), in line with Department for Education guidance.

Parents/carers should inform the school of any relevant factors e.g. bereavement which could affect their child's attendance and/or behaviour.

9.3 Following up on absence

Where we have not received any verbal or written communication from the parent, then the Attendance Officer will telephone home on the first day of absence. If no contact is made on day one of the absence the child's other named emergency contact(s) will be also be telephoned.

If we have not heard from any contacts, a safeguarding assessment will be undertaken (including any other agencies as appropriate) to determine whether a home visit or other action is necessary. If we have concerns about the welfare of a pupil, school staff may undertake a home visit or request a welfare check is undertaken by Police.

Where the school has made all reasonable attempts to contact a parent (as outlined above), and has been unable to do so, a referral will be made to the Local Authority Children Missing Education team. Contact may also be made with Children's Services and/or the Police in line with safeguarding procedures.

9.4 Long term health or SEND needs

Some pupils who have long term physical or mental health or special educational needs or disabilities may face more complex barriers to attendance and may require additional support.

When a pupil has an illness that means they will be away from school long term, the school will consult with the relevant medical professionals to make decisions on how the school can best support the pupil to continue with schoolwork (e.g. sending work home).

If the absence is likely to continue for an extended period, or be a repetitive absence, the school will contact the Local Authority support services to see if arrangements can be made for the pupil to be given some home tuition outside school. See the Children with Health Needs Who Cannot Attend School Policy for more details.

In supporting the attendance of pupils with long term physical or mental health or special educational needs or disabilities, the school will:

- Understand the individual needs of the pupil and family
- Work in partnership with the pupil/family to put in-school support in place

- Work with the Local Authority and other agencies where external support is needed
- Regularly review and update the support approach to make sure it continues to meet the needs of the pupil.
- 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 will be agreed in conjunction with the pupil/parent and relevant medical professionals and regularly reviewed.

10. Requests for absence under exceptional circumstances

The law allows the school to consider individual requests to authorise a future absence. Headteachers are only permitted to grant leave of absence for any reason if they are satisfied that **exceptional circumstances** exist. Any request for leave must be made in writing to the Headteacher using the Absence Request Form (Appendix 1).

To request leave of absence you must have parental responsibility and be the parent with whom the child normally lives. If you do not have parental responsibility and/or normally live with the child, you must seek the consent of the parent who does, and that person should complete the request form.

When deciding whether to allow term time leave, for any reason, the school will only consider:

- The reason for the leave (i.e. whether there are exceptional circumstances)
- The time and duration of the leave
- Whether or not the leave could have been taken during the statutory school holiday periods
- Learning that will be missed

If your child is absent from school without authorisation, you will be committing an offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices are issued per liable parent, per child and each carry a fine of £80 if paid within 21 days or £160 if paid after this but within 28 days.

If your child is further absent from school without authorisation for a second time, within a 3-year period you will be committing a further offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices for a second offence are issued per liable parent, per child and each carry a fine of £160 payable within 28 days.

In each case failure to pay the Penalty Notice may result in legal action. Absence not authorised by the school may result in a prosecution in the Magistrates' Court under Section 444(1) or Section 444(1A) of the Education Act 1996, leading to a fine of up to £2,500 and/or a custodial sentence. Cornwall Council may also apply for the costs incurred in taking the matter to Court.

If your child is further absent from school in a 3-year period this may result in a prosecution in the Magistrates' Court under Section 444(1) or Section 444(1A) of the Education Act 1996, leading to a fine of up to £2,500 and/or a custodial sentence. Cornwall Council may also apply for the costs incurred in taking the matter to Court.

10.1 Holidays

The law does not grant parents an automatic right to take their child out of school for holidays during term time. Headteachers may not grant any leave of absence during term time unless there are exceptional circumstances. Holiday prices, or the fact that parents have booked a holiday, are not considered exceptional circumstances. Where a child is absent for a holiday during term time and this is not authorised, it will be coded as 'G'. Parents/carers may be liable to receive a Penalty Notice and/or prosecution. See section 'Legal Sanctions'.

10.2 Religious observance

The Trust acknowledges the multi-faith nature of British society and recognises that, on some occasions, religious festivals may fall outside school holiday periods or weekends and is recognised as such by a relevant religious authority. Where this occurs, the school will consider either authorising the pupil absence or making special leave for religious observance. Parents/carers must fill out an Absence Request Form in advance.

10.3 Gypsy, Roma and Traveller absence

It is expected that parents/carers will give advance notice to the school of when they are travelling and when they are expected to return. Where a Gypsy/Roma/Traveller family is travelling out of area for work purposes, we will use the code T to record the absence. The T code will only be used if the child has recorded a minimum of 200 sessions attendance at any school within the 12-month rolling period.

Where a child is absent, and the family are not travelling, the appropriate absence code will be used in accordance with this Attendance Policy. Where there are concerns about attendance the school will liaise with the Education Welfare Officer and/or Inclusion teams in accordance with the "Advice and Guidance for Schools – Gypsy, Roma and Traveller Children" (2019).

11. Addressing Attendance Concerns

The Trust expectation is that all pupils will achieve a minimum of 96% attendance (with due regard given to the impact of serious and chronic health conditions and/or disability in line with our duties under the Equalities Act 2010).

Where there are concerns about a pupil's attendance and/or lateness, the school will take a 'support first' approach where this is appropriate, focused on communicating with parents/carers and the child to understand the barriers to school attendance. A graduated approach will be followed as outlined below (with the exception of cases of unauthorised leave of absence for holidays ('G' codes)).

As part of the graduated approach, parents/carers will be offered a home visit at an appropriate time during the stages described below as part of the school's 'support first' approach.

In some cases parent/carers may be invited to meet with the school's Education Welfare Officer rather than school staff.

Stage 1: Universal support

The school will regularly inform all parents/carers about their child's attendance and absence levels, how this compares to the Trust expectation of a minimum of 96% attendance and offering support with any issues around attendance (see Appendix 4). All parents are able to see their child's attendance records on the Arbor app – at any time of day throughout the year. Parents will also be informed in an end of year report.

The school will follow up on the first day of absences in line with the procedure set out in section 9.3.

Any early concerns or queries regarding a pupil's absence or punctuality will be addressed through telephone calls to parents/carers in the first instance, alongside an offer to come into school for an informal meeting to discuss any barriers to attendance or support required. A log will be kept of contact with parents/carers.

A whole school warning letter regarding unauthorised leave of absence will be sent at least termly (see Appendix 3).

Stage 2: Formal meeting

Where a pupil's attendance falls below 92%, there are ongoing concerns around unauthorised absence, or there are ongoing concerns around a pupil's punctuality, parents will be contacted in writing (see Appendix 5) to request to attend a meeting with Ashley Larter (attendance champion)

The focus of the meeting will be:

- Understanding and tackling the barriers to school attendance
- Identifying any support that can be provided
- Expectations for communication
- Referral to wider support services, where appropriate

A timescale will be agreed at the meeting over when an improvement in attendance/punctuality is expected and the nature and scope of the improvement.

Stage 3: Attendance Action Plan

Where a pupil's attendance falls below 90% (considered 'persistent absence') and/or there has been no improvement in attendance/punctuality following Stage 2, parents will be contacted in writing (see Appendix 6) to request to attend a meeting with Ashley Larter (attendance champion) and, in some cases, the EWO, where a formal Attendance Action Plan (Appendix 7) will be put in place.

This will identify an effective plan to support improvement. A timescale of between 2 and 4 school weeks will be agreed at the meeting over when an improvement in attendance/punctuality is expected and the nature and scope of the improvement.

Stage 4: Notice to Improve

If there has not been sufficient improvement in attendance following the Attendance Action Plan, or if the family are not engaging in the support offered, a Notice to Improve will be issued where the child's absence levels have triggered the national threshold for a Penalty Notice. The national threshold is **10 or more sessions of unauthorised absence in any 10 week period**.

The Notice to Improve (see Appendix 8) will be issued in line with the Local Authority's Code of Conduct. Under the Notice to Improve, parents/carers will have thirty school days (6 weeks) in which there must be significant improvements in attendance – this will be detailed on a case-by-case basis.

A Notice to Improve is a final opportunity for parents/carers to engage in support and improve attendance before a Penalty Notice is issued (see section 'Legal Sanctions' for more details).

Where absences from school appear entrenched or the parent has previously had 2 penalty notices within a 3 year period, consideration will be given about whether prosecution would be appropriate.

12. Legal sanctions

If a child of compulsory school age who is a registered pupil at a school fails to attend regularly, the child's parent(s)/carer(s) may be guilty of an offence under Section 444 of the Education Act 1996. The law allows for legal sanction in the form of a Penalty Notice or prosecution.

In addition, Section 104 of the Education and Inspections Act 2006 places a duty on the parents/carers of a child excluded from school to ensure the child is not present in a public place, during school hours, without reasonable justification during the first five school days of each and every fixed period or permanent exclusion. The law allows for a Penalty Notice to be issued to a parent/carer guilty of this offence.

The school will adhere to the Local Authority Code of Conduct with regard to the issuing of Penalty Notices and prosecution. Under this Code of Conduct, the school will not itself issue a Penalty Notice but will request that one is issued by the Local Authority.

The school will warn parents of the potential use of Penalty Notices or prosecution in regard to unauthorised absence, in any form, on a minimum of a termly basis, by means of a written legal warning (Appendix 2).

12.1 National Framework for Penalty Notices

Under the National Framework for Penalty Notices, schools **must** consider whether a penalty notice should be issued when a pupil has been recorded as absent for at least 10 sessions (usually equivalent to 5 school days) due to unauthorised absence within 10 school weeks.

Penalty Notices are issued per liable parent, per child and each carry a fine of £80 if paid within 21 days or £160 if paid after this but within 28 days.

Penalty Notices for a second offence within a 3-year period are issued per liable parent, per child and each carry a fine of £160 payable within 28 days.

Failure to pay a Penalty Notice may result in legal action, leading to a fine of up to £2,500 and/or a custodial sentence. The Local Authority may also apply for the costs incurred in taking the matter to Court.

If a parent/carer then commits a third offence in a 3-year rolling period, the Local Authority will need to consider other enforcement options available to them. This could include prosecution, leading to a fine of up to £2,500 and/or a custodial sentence. The Local Authority may also apply for the costs incurred in taking the matter to Court.

12.2 Requesting a Penalty Notice and/or other legal action

The school will consider requesting a Penalty Notice is issued in the following circumstances:

- Unauthorised leave of absence for holiday in term time where this meets the national threshold of at least 10 sessions of unauthorised absence within 10 school weeks.
- Unauthorised absence (for whatever reason) or unauthorised lateness where this meets the national threshold of at least 10 sessions of unauthorised absence within 10 school weeks and support strategies have not been engaged with or not been successful in improving attendance.
- Where the school has reason to believe a registered pupil has been present in a public place, during school hours, without reasonable justification during the first five school days of each and every fixed period or permanent exclusion.

The decision on whether to request a Penalty Notice will take into account the circumstances of each individual case and will consider:

- Is a Penalty Notice the best available tool to improve attendance and change parental behaviour for this particular family or would one of the other legal interventions be more appropriate?
- Is issuing a Penalty Notice in this case appropriate after considering any obligations under the Equality Act 2010?
- Is it in the public interest to issue a Penalty Notice in this case given the Local Authority would be responsible for any resulting prosecution for the original offence in cases of non-payment?

*For cases of unauthorised absence/lateness **not including unauthorised holidays during term time:***

- Has sufficient support already been provided, including understanding the barriers to school attendance, agreeing an effective plan, and referring to wider support services where appropriate?
- Are parents aware of their legal responsibilities regarding ensuring their child's regular attendance at school through the issuing of a Notice to Improve?

12.3 Prosecution

Where absences from school appear entrenched or the parent has previously had 2 penalty notices within a 3 year period, consideration will be given about whether prosecution would be appropriate. Prosecution under Section 444(1) of the Education Act 1996 carries a maximum fine of £1000 per parent. A prosecution under Section 444(1a) carries a maximum fine of £2500 and/or 3 months imprisonment. Consideration can also be given to Education Supervision Orders.

13. Behaviour sanctions [secondaries only]

Where a pupil is late to school or lessons or fails to attend lessons within the school day ('internal truancy'), behaviour sanctions may be issued in line with our Behaviour Policy.

14. Promoting good attendance

St Hilary publishes and celebrates the class with the highest average percentage in the weekly newsletter. Teachers will comment on good attendance to children and to parents (especially during meetings) and will promote good attendance by ensuring the curriculum is well-designed and stimulating for all children.

15. Monitoring attendance and using data

We will:

- Monitor attendance and absence data half-termly, termly and yearly across the school and at an individual pupil level.
- Analyse attendance and absence data regularly to identify pupils or cohorts that need additional support with their attendance, and use this analysis to provide targeted support to these pupils and their families.
- Look at historic and emerging patterns of attendance and absence, and then develop strategies to address these patterns.
- Provide regular attendance reports to class teachers (which are available at any time on Arbor), and other school leaders, to facilitate discussions with pupils and families.
- Use data to monitor and evaluate the impact of any interventions put in place in order to modify them and inform future strategies.
- Report attendance statistics, strategies and impacts to the Local Academy Committee and the Trust to enable monitoring of the implementation and effectiveness of this policy.

15.1 Data sharing

Schools must provide automatic daily attendance data to the Department for Education in order to identify national, regional and local trends, and patterns in school attendance.

The law also allows Local Authority officers access to the attendance and admission registers of all types of schools to carry out their functions under the Education Acts to support joint working between schools,

trusts and local authorities.

This will also allow schools access to more up-to-date pupil-level attendance data in order to compare attendance data to the local and national averages and develop and evaluate its strategies to improve attendance.

Data will also be shared with our contracted Education Welfare Officer team in order to provide support to pupils, parents and carers and support the effective implementation of this policy.

Appendix 1: Absence Request Form (Exceptional Circumstances)

LEAVE OF ABSENCE / EXCEPTIONAL CIRCUMSTANCE LEAVE REQUEST FORM

The law does not grant parents an automatic right to take their child out of school during term time. Any absence from school will disrupt your child's learning. You may consider that a holiday will be educational, but your child will miss out on the teaching that their classmates will receive during your holiday. Attendance is vital to academic success and lost education poses a potential risk of underachievement. This is something we all have a responsibility to avoid.

The Department for Education no longer allows Headteachers to grant any leave of absence during term time unless there are exceptional circumstances. If you consider that your request for absence is exceptional you will need to complete the form attached to this notification. A response will be sent to you as soon as possible. If leave is not authorised and you nevertheless withdraw your child from school, the absence will be recorded as unauthorised absence.

If your child is absent from school without authorisation, you will be committing an offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices are issued per liable parent, per child and each carry a fine of £80 if paid within 21 days or £160 if paid after this but within 28 days.

If your child is further absent from school without authorisation within any 3-year period, you will be committing a further offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices for a second offence are issued per liable parent, per child and each carry a fine of £160, payable within 28 days. Importantly, fines per parent will be capped to two fines within any three-year period. Once this limit has been reached, other action such as a parenting order or prosecution will be considered.

Failure to pay the Penalty Notice may also result in legal action. If you are prosecuted and attend court because your child has not been attending school, you could get a fine of up to £2,500. Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs.

Absence not authorised by the school may also result in a prosecution in the Magistrates' Court under Section 444(1) or Section 444(1A) of the Education Act 1996, leading to a fine of up to £2,500 and/or a custodial sentence. Again, Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs.

Money raised from fines is only used by the local authority to cover the costs of administering the system, and to fund attendance support. Any extra money is returned to the government.

'Parent' as set out in Section 576 of the Education Act 1996, defines parent to include: natural parents, whether they are married or not; any person or body who has parental responsibility for a child (as defined by the Children Act 1989) and; any person who, although not a natural parent, has care of a child. Having care of a child means a person with whom a child lives and who looks after a child, irrespective of what their relationship is with said child.

All requests must be completed on this form; letters will not be accepted. This form should be returned to the Attendance Officer (Jay Waters) at least 15 school days before the start of the absence.

I hope you will support our efforts in raising attendance and attainment at St Hilary School.

APPLICATION BY PARENT/CARER

If you consider an absence during term time to be an exceptional circumstance, please complete this form and return it to the Attendance Officer (Jay Waters) at least 15 school days before the date you wish to remove your child from school.

Student Name: _____ **DOB:** _____

Class/Tutor Group: _____

Home Address: _____

Post Code: _____

Name of Parent/Carer completing this form: _____

First day of absence: _____

Date of return to school: _____

If leaving your home address before the first day of absence, please provide the date on which you will leave _____

Total number of school days missed: _____ days

Reason for absence: _____

Do you have any children in any other Leading Edge Academies Partnership schools? These are Mounts Bay Academy, Fowey River Academy, Five Islands Academy, St Buryan Academy, Ludgvan School and St Hilary Academy. If so please give details:

*I understand that if the absence request is unauthorised the school may request that Cornwall Council issue a Penalty Notice. I understand that a Penalty Notice is issued to **each** liable parent/carer of **each** child taken out of school and that this carries a fine of £80 if paid within 21 days, increasing to £160 if paid within 28 days (or £160 with no option to pay the lower amount if it is the 2nd penalty notice within a rolling 3-year period). I understand that if I do not pay the fine, it may result in legal action being taken against me. I understand that **parents have a duty to ensure their child's regular attendance at school and failure to do so is an offence under Section 444(1) and Section 444(1A) of the Education Act 1996.***

Signed

Dated

(Please ensure you give at least 15 school days' notice of the proposed absence)

BELOW TO BE COMPLETED BY THE SCHOOL:

FAO – Headteacher

% Current	% Last Year	Comments

Student Name:Class/Tutor Group: Year:

☐ **AUTHORISED:**☐ **UNAUTHORISED:**Request has been authorised for the following dates **only**:

___ / ___ / ____ to ___ / ___ / ____

Signed **Headteacher****Date** ___ / ___ / ___

Letter sent / Phone Call / other	Signed:	Date:
Action: PN Request	Signed:	Date:

Appendix 2: Model Absence Refusal Letter

NAME AND ADDRESS

Date

Dear Name of parent/carer(s)

I am writing regarding your request to take (Student Name) out of school on Date until Date.

The law states that a planned absence from school should only be authorised for pupils in 'exceptional circumstances'. Here at St Hilary School we recognise that there are occasions when it is appropriate to authorise an absence; we look at each request on its own merit before reaching a decision.

Under the circumstances, we regret that on this occasion we are unable to authorise your request for absence. If (Student Name) does not attend school on the dates concerned, the absence will be recorded as unauthorised. In cases where parents subsequently report their child as ill during this period, medical evidence may be requested to support this.

I urge you to reconsider your decision.

If your child is absent from school without authorisation, you will be committing an offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices are issued per liable parent, per child and each carry a fine of £80 if paid within 21 days or £160 if paid after this but within 28 days.

If your child is further absent from school without authorisation within any 3-year period, you will be committing a further offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices for a second offence are issued per liable parent, per child and each carry a fine of £160, payable within 28 days. Importantly, fines per parent will be capped to two fines within any three-year period. Once this limit has been reached, other action such as a parenting order or prosecution will be considered.

Failure to pay the Penalty Notice may also result in legal action. If you are prosecuted and attend court because your child has not been attending school, you could get a fine of up to £2,500. Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs.

Absence not authorised by the school may also result in a prosecution in the Magistrates' Court under Section 444(1) or Section 444(1A) of the Education Act 1996, leading to a fine of up to £2,500 and/or a custodial sentence. Again, Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs.

'Parent' as set out in Section 576 of the Education Act 1996, defines parent to include: natural parents, whether they are married or not; any person or body who has parental responsibility for a child (as defined by the Children Act 1989) and; any person who, although not a natural parent, has care of a child. Having care of a child means a person with whom a child lives and who looks after a child, irrespective of what their relationship is with said child.

I would like to offer you the opportunity to contact Ashley Larter at St Hilary School if you would like advice or support in helping your child attend more regularly. St Hilary School is committed to maximising the education of all its pupils and aims to work with parents to ensure this can be achieved. If you would like to discuss this matter further, please contact the school.

Yours sincerely

Headteacher

Appendix 3: Whole School Warning Letter regarding unauthorised leave of absence

NAME AND ADDRESS

DATE

Dear Parent/Carer

Here at St Hilary School, we recognise that there are occasions when it is appropriate to authorise an absence, such as when a pupil is genuinely too ill to attend school.

However, the Government does not support parents taking children out of school unless the school agrees this is appropriate under 'exceptional circumstances'. Any request for leave should be made in writing to the Headteacher using the school's 'Leave of Absence Exceptional Circumstances' request form.

If your child is absent from school without authorisation, you will be committing an offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices are issued per liable parent, per child and each carry a fine of £80 if paid within 21 days or £160 if paid after this but within 28 days.

If your child is further absent from school without authorisation within any 3-year period, you will be committing a further offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices for a second offence are issued per liable parent, per child and each carry a fine of £160, payable within 28 days. Importantly, fines per parent will be capped to two fines within any three-year period. Once this limit has been reached, other action such as a parenting order or prosecution will be considered.

Failure to pay the Penalty Notice may also result in legal action. If you are prosecuted and attend court because your child has not been attending school, you could get a fine of up to £2,500. Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs.

Absence not authorised by the school may also result in a prosecution in the Magistrates' Court under Section 444(1) or Section 444(1A) of the Education Act 1996, leading to a fine of up to £2,500 and/or a custodial sentence. Again, Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs.

Money raised from fines is only used by the local authority to cover the costs of administering the system, and to fund attendance support. Any extra money is returned to the government.

'Parent' as set out in Section 576 of the Education Act 1996, defines parent to include: natural parents, whether they are married or not; any person or body who has parental responsibility for a child (as defined by the Children Act 1989) and; any person who, although not a natural parent, has care of a child. Having care of a child means a person with whom a child lives and who looks after a child, irrespective of what their relationship is with said child.

You are welcome to contact the school to discuss any concerns you may have regarding this or if you feel you would like advice or support in helping your child attend more regularly. St Hilary School is committed to enabling every child to reach their full potential and aims to work with parents to ensure this can be achieved.

Yours sincerely

Headteacher

Appendix 4: Stage 1 (Universal Support) Attendance Update/Early Concerns letter

NAME AND ADDRESS

Date

Dear (Parent/Carer),

I am writing to update you on [child's name]'s attendance, which is currently [%] for this academic year. This means they have missed [number] sessions of school since September (a session is half a day). I enclose their attendance certificate for your information.

The school's attendance expectation is 96% for all pupils.

(Add here if there are concerns around punctuality or lateness).

Regular school attendance is important to ensure all pupils reach their potential. Our aim is to work with parents to ensure all pupils have this opportunity.

If you or [child's name] require any support with attendance or if you feel there is any help we can provide moving forward, please do not hesitate to contact [name and contact details] to arrange to a time to discuss this with us.

Yours sincerely

[Name]

Appendix 5: Stage 2 Formal Meeting Request letter

NAME AND ADDRESS

Date

Dear XX

You may recall that I wrote/spoke to you on [date] (delete as needed) to discuss [child's name]'s attendance.

I reviewed their attendance again today and unfortunately [there has been no significant improvement/[child's name]'s attendance has declined]. [Child's name]'s attendance is currently [%] for this academic year. This means they have missed [number] sessions of school since September (a session is half a day). I enclose their attendance certificate for your information.

The school's attendance expectation is 96% for all pupils.

(And/or add here if there are concerns around punctuality or lateness which have not improved).

I am therefore writing to you to invite you to a meeting on [date/time] to discuss how we can work together to support an improvement in [child's name]'s attendance/punctuality. At this meeting we will look at barriers to attendance and identify any support that can be provided.

If you are not able to attend this meeting please contact [contact details] to arrange a convenient time.

Yours sincerely

If your child is absent from school without authorisation, you will be committing an offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices are issued per liable parent, per child and each carry a fine of £80 if paid within 21 days or £160 if paid after this but within 28 days.

If your child is further absent from school without authorisation within any 3-year period, you will be committing a further offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices for a second offence are issued per liable parent, per child and each carry a fine of £160, payable within 28 days. Importantly, fines per parent will be capped to two fines within any three-year period. Once this limit has been reached, other action such as a parenting order or prosecution will be considered.

Failure to pay the Penalty Notice may also result in legal action. If you are prosecuted and attend court because your child has not been attending school, you could get a fine of up to £2,500. Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs.

Absence not authorised by the school may also result in a prosecution in the Magistrates' Court under Section 444(1) or Section 444(1A) of the Education Act 1996, leading to a fine of up to £2,500 and/or a custodial sentence. Again, Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs.

Appendix 6: Stage 3 Formal Meeting for Attendance Action Plan letter

Dear XX,

You will recall that you met with [who] on [date] to discuss [child's name]'s attendance. At this meeting we looked at barriers to attendance and identified any support that we could provide to support an improvement in [child's name]'s attendance.

I reviewed their attendance again today and unfortunately [there has been no significant improvement/[child's name]'s attendance has declined]. [Child's name]'s attendance is now [%] for this academic year. This means they have missed [number] sessions of school since September (a session is half a day). I enclose their attendance certificate for your information.

The school's attendance expectation is 96% for all pupils. Attendance below 90% is considered 'persistent absence'.

(And/or add here if there are concerns around punctuality or lateness which have not improved).

I am therefore writing to you to invite you to a meeting on [date/time] at which we can agree an Attendance Action Plan to improve [child's name]'s attendance.

As part of the Action Plan we will agree a timescale of between 2 and 4 school weeks over when an improvement in [child's name]'s attendance/punctuality is expected. If there has been no significant improvement over the agreed timeframe we will consider issuing a Notice to Improve. A Notice to Improve is a final warning of our intention to request that you are issued with a Penalty Notice.

If you are not able to attend this meeting please contact [contact details] to arrange a convenient time.

Yours sincerely

Appendix 7: Attendance Action Plan template

Attendance Action Plan

Child: Child's name & date of birth

Parent(s)/carer(s): Parent/carers names

School Attending: text

Year Group: text

Date of Meeting: text

Date Action Plan will start: text

Invited to the Meeting		Attended
Child (only to attend if appropriate):		Yes/No
Parent/Carers:	Name /	Yes/No
	Name /	
Chair of the Meeting:	Name / role	Yes/No
School Staff:	Name / role	Yes/No
Other Professionals:	Name / role / organisation	Yes/No

Purpose of the Action Plan

The purpose of this meeting is to create an Action Plan to identify the difficulties that are impacting on your child being able to attend school regularly. A plan of support will be developed with the aim of encouraging and enabling change to happen. We will agree what level of improvement is required and by when and what we can do to help you.

Where absences are due to illness, we will share expectations around what medical evidence may be needed e.g. prescriptions, appointment cards, any GP advice received via texts etc.

We will also make it clear how you should communicate with the school around your child's attendance.

What is happening in school for this child?

- Explore friendship groups, relationships with teachers, school uniform, subjects, food, break and lunch times, travel to and from school, support with SEN needs, anything else relevant to the child

What is happening outside of school for the child?

- Explore peer relationships outside of school, caring responsibilities, sibling and family relationships, homework, morning and evening routine, meals, structure, safeguarding issues, any other professional involvement, anything else relevant to the child.

What is happening for the parent/family

- Explore work, caring responsibilities, physical and mental health, learning/support needs of the parent, anything else relevant to the parent and child.

What are the child's views about school and the difficulties impacting on them being able to attend?

How have they been supported to contribute to the meeting?

What do the parents think are the difficulties that are impacting on the child being able to attend school

What do the school think are the difficulties that are impacting on the child being able to attend school

What reasonable adjustments can be made in school to support the child to attend?

Attendance/Punctuality Target/s (based on number of days available over monitoring period)

--

Attendance Action Plan

Actions Agreed (please state by whom and when).		Date to be completed by:
School		
Parent(s)		
Child		
Other Professionals		

Signatures

Parent/Carer:

Parent/Carer:

Chair of the Meeting:

School Staff:

Other Professionals:

Date Action Plan will be reviewed by school:

Appendix 8: Notice to Improve template

NOTICE TO IMPROVE

School attendance is hugely important. For your child to gain the full benefit from their education, for their learning, wellbeing, and wider development, they need to attend on time, every day possible.

Section 7 of the Education Act 1996 places a duty upon parents of a child of compulsory school age to cause that child to receive efficient full-time education.
<https://www.legislation.gov.uk/ukpga/1996/56/section/7>

If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school, the child's parent(s) may be guilty of an offence under s.444 of the Education Act 1996.

You, «FORENAME» «SURNAME» are a parent/carer of «Students_Name», who is a registered pupil at «School_Name».

The school have offered support to you and your family to try and help improve «Students_Name»'s attendance, including:

1. **Telephone calls.** The school contacted you every day your child was absent to understand why your child was absent and to offer support with any issues your child may be having.
2. **An Attendance Overview Letter.** The school wrote to you, letting you know about «Students_Name»'s attendance, the impact of their continued absence, and inviting you to contact the school to discuss the situation further.
3. **An Attendance Support Meeting Invite.** The school invited you to a meeting to discuss your child's unauthorised absences and to offer support to ensure that their attendance improved. You were notified of the consequences should your child continue to have unauthorised absence and you did not effectively engage with the support offered.

Unfortunately, despite the support that was offered to your family, attendance remains a cause for concern.

Between «WARNING_START_DATE» and «WARNING_END_DATE» «Students_Name» failed to attend regularly at «School_Name», which resulted in 10 sessions (half days) or more of unauthorised absences being recorded. Please see the attached registration certificate for details.

You now have thirty school days (6 weeks) in which to improve your child's attendance. During

this time your child must show significant improvements in attendance and (SCHOOL TO DETAIL WHAT SUFFICIENT IMPROVEMENT IN THE 6 WEEK VALIDITY PERIOD WILL LOOK LIKE ON A CASE-BY-CASE BASIS. THIS COULD INCLUDE NO FURTHER UNAUTHORISED ABSENCES IN THE 6 WEEK PERIOD).

Should we not see sufficient improvement, and further unauthorised absences take place during this period, a Penalty Notice may be issued.

A penalty notice is charged at £160 if paid within 28 days or £80 if paid within 21 days for a 1st offence, and £160 if paid within 28 days for a 2nd offence within a 3-year rolling period.

NB – A Penalty Notice may be issued before the end of the 6-week validity period if it is evident that the terms of ‘sufficient improvement’ have not been met

If you wish to discuss this notice, or discuss what further support is available, including previously provided support that was not engaged with, please contact the school as soon as possible.

Yours sincerely

Ashley Larter

Deputy Head / Attendance Champion

St Hilary School

If your child is absent from school without authorisation, you will be committing an offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices are issued per liable parent, per child and each carry a fine of £80 if paid within 21 days or £160 if paid after this but within 28 days.

If your child is further absent from school without authorisation within any 3-year period, you will be committing a further offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices for a second offence are issued per liable parent, per child and each carry a fine of £160, payable within 28 days.

Importantly, fines per parent will be capped to two fines within any three-year period. Once this limit has been reached, other action such as a parenting order or prosecution will be considered.

Failure to pay the Penalty Notice may also result in legal action. If you are prosecuted and attend court because your child has not been attending school, you could get a fine of up to £2,500. Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs.

Absence not authorised by the school may also result in a prosecution in the Magistrates' Court

under Section 444(1) or Section 444(1A) of the Education Act 1996, leading to a fine of up to £2,500 and/or a custodial sentence. Again, Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs.

Money raised from fines is only used by the local authority to cover the costs of administering the system, and to fund attendance support. Any extra money is returned to the government.

Appendix 9

FLOWCHART - Addressing Attendance Concerns

Where there are concerns about a pupil's attendance and/or lateness, the school will take a 'support first' approach where this is appropriate, focused on communicating with parents/carers and the child to understand the barriers to school attendance. A graduated approach will be followed as outlined below (with the exception of cases of unauthorised leave of absence for holidays ('G' codes)).

As part of the graduated approach, parents/carers will be offered a **home visit** at an appropriate time during the stages described below as part of the school's 'support first' approach.

In some cases parent/carers may be invited to meet with the school's Education Welfare Officer rather than school staff.

