



# **ATTENDANCE & PUNCTUALITY POLICY**

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## 1. Aims

Our school aims to meet its obligations with regards to school attendance by:

- Promoting good attendance and reducing absence, including persistent absence
- Ensuring every pupil has access to full-time education to which they are entitled
- Safeguarding pupils by ensuring they are on the school site when they should be, and when parents believe them to be
- Making attendance and punctuality a priority for all those involved with the school, including pupils, parents, all staff and governors
- Acting early to address patterns of absence
- Adhering to the Waltham Forest Attendance Protocol 2018-19 (Behaviour, Attendance and Children Missing Education (BACME) Service). See Appendix 3

We will also support parents to perform their legal duty to ensure their children of compulsory school age attend regularly, and will promote and support punctuality in attending lessons.

Excellent attendance and punctuality are vital for educational progress and ensuring that every pupil maximizes their achievement and potential. Outstanding attendance and punctuality are vital in promoting the welfare and life chances for all pupils.

## 2. Legislation and guidance

This policy meets the requirements of the [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:

- [The Education Act 1996](#)
- [The Education Act 2002](#)
- [The Education and Inspections Act 2006](#)
- [The Education \(Pupil Registration\) \(England\) Regulations 2006](#)
- [The Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2010](#)
- [The Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2011](#)
- [The Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2013](#)
- [The Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2016](#)
- [The Education \(Penalty Notices\) \(England\) \(Amendment\) Regulations 2013](#)

This policy also refers to the DfE's guidance on the [school census](#), which explains the persistent absence threshold.

### **3. School procedures**

#### **3.1 Attendance register**

By law, all schools (except those where all pupils are boarders) are required to keep an attendance register, and all pupils must be placed on this register.

The attendance register will be taken at the start of the first session of each school day and once during the second session. It 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

See appendix I for the DfE attendance codes.

Every entry in the attendance register will be preserved for 3 years after the date on which the entry was made.

Primary pupils must arrive in school by 8.45am on each school day and secondary pupils by 8.25am.

For primary pupils the register for the first session will be taken at 8.50am for Reception and KS1 and 8.45am for KS2. The register for the second session will be taken at 12.10pm for Reception and KS1 and 1.05pm for KS2.

For secondary pupils the register for the first session will be taken at 8.30am and will be kept open until 9.30am. The register for the second session will be taken at 1.35pm.

#### **3.2 Unplanned absence**

Parents and carers must notify the school on the first day of an unplanned absence – for example, if their child is unable to attend due to ill health – by 9am or as soon as practically possible (see also section 6).

On return to the school, an absence letter or note in the appropriate section of the pupil's diary (secondary) should be provided to account for all the days of absence.

Absence due to illness will be authorised unless the school has a genuine concern about the authenticity of the illness.

If the authenticity of the illness is in doubt, the school may ask parents to provide medical evidence, such as a doctor's note, prescription, appointment card or other appropriate form of evidence. We will not ask for medical evidence unnecessarily.

If the school is not satisfied about the authenticity of the illness, the absence will be recorded as unauthorised and parents will be notified of this in advance.

### **3.3 Medical or dental appointments**

Missing registration for a medical or dental appointment is counted as an authorised absence; advance notice is required for authorising these absences and prevents delay in releasing students from school to attend their appointments.

However, we encourage parents to make medical and dental appointments out of school hours where possible. Where this is not possible, the pupil should be out of school for the minimum amount of time necessary.

Parents/carers can inform the Attendance Officer by telephone or letter/note in the student diary.

Applications for other types of absence in term time must also be made in advance. Information relating to whether the school can authorise such absences can be found in Section 4.

### **3.4 Lateness and punctuality**

A pupil who arrives late but before the register has closed will be marked as late, using the appropriate code.

A pupil who arrives after the register has closed will be marked as absent, using the appropriate code of U.

If secondary students arrive after 8.35am they will be issued with a 20 minute detention to be served after school on the same day.

Schools can refer to the Behaviour Attendance and Children Missing Education (BACME) Team to issue a Fixed Penalty Notice (FPN) for high number of U marks. Please refer to Appendix 2: FPN Code of Conduct for further information

### **3.5 Following up absence**

The school will follow up any absences to ascertain the reason, ensure proper safeguarding action is taken where necessary, identify whether the absence is approved or not and identify the correct attendance code to use.

The school uses Truancy Call to make calls to parents/carers on the first day of absence. It is vital that the school has access to the most up to date contact numbers for all parents/carers for obvious safeguarding reasons.

### **3.6 Reporting to parents**

Parents/carers are informed of attendance and punctuality records through tracking reports, annual reports, letters home and at other contact points throughout the year, including individual meetings with key staff, particularly where there are concerns.

## **4. Authorised and unauthorised absence**

### **4.1 Granting approval for term-time absence**

Headteachers may not grant any leave of absence to pupils during term time unless they consider there to be 'exceptional circumstances'.

The school considers each application for term-time absence individually, taking into account the specific facts, circumstances and relevant context behind the request. The headteacher must be informed in writing. A leave of absence is granted entirely at the headteacher's discretion.

In line with national and local guidance we do not authorize any holidays taken during term time. If a parent/carer removes their child from the school during the published term dates, their child's absence will be unauthorised, they could be fined and the child taken off roll. Parents/carers should be aware that if their child has a lot of unauthorised absence, then they may be guilty of an offence under Section 444 of the Education Act 1996 and legal action may be taken against them.

Valid reasons for **authorised absence** include:

- Illness and medical/dental appointments – as explained in sections 3.2 and 3.3
- Religious observance – where the day is exclusively set apart for religious observance by the religious body to which the pupil's parents belong. If necessary, the school will seek advice from the parents' religious body to confirm whether the day is set apart
- Traveller pupils travelling for occupational purposes – this covers Roma, English and Welsh Gypsies, Irish and Scottish Travellers, Showmen (fairground people) and Circus people, Bargees (occupational boat dwellers) and New Travellers. Absence may be

authorised only when a Traveller family is known to be travelling for occupational purposes and has agreed this with the school but it is not known whether the pupil is attending educational provision

## **4.2 Legal sanctions**

Schools can fine parents for the unauthorised absence of their child from school, where the child is of compulsory school age.

If issued with a penalty notice, parents must pay £60 within 21 days or £120 within 28 days. The payment must be made directly to the local authority.

The decision on whether or not to issue a penalty notice ultimately rests with the headteacher, following the local authority's code of conduct for issuing penalty notices. This may take into account:

- A number of unauthorised absences occurring within a rolling academic year
- One-off instances of irregular attendance, such as holidays taken in term time without permission
- Where an excluded pupil is found in a public place during school hours without a justifiable reason

If the payment has not been made after 28 days, the local authority can decide whether to prosecute the parent or withdraw the notice.

## **5. Strategies for promoting attendance**

All staff should take every opportunity to praise students whose attendance is excellent or is improving (even if it is still poor overall for the academic year).

Class teachers, Heads of Year, Year Leaders and tutor teams must promote the importance of excellent attendance regularly throughout the year using assemblies and the school awards system. Certificates for 100% attendance and punctuality should be issued at awards assemblies and class teachers/form tutors should discuss attendance and punctuality weekly with their classes.

Students should know what their own and their class/tutor group current attendance figure is as well as the target for the school.

Each week the class/tutor group with the highest attendance in their year is rewarded with a certificate for display in their classroom.

At the end of each academic year special recognition is given to students who have 100% attendance and punctuality.

In order to effectively support students to meet the school attendance target of 96% or better, we recognize that all staff and parents/carers have a key role to play. To support effective tracking and monitoring of student attendance, the school uses set thresholds to help group students and ensure prompt intervention:

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The following range of intervention and support strategies are used as soon as staff notice that absence levels have increased and that the student's attendance has fallen below the school target:

- 1:1 conversations with students that raise awareness of concerns regarding absence, identifies reasons and ways of improving attendance with class teacher/form tutor, Year Leader, Head of Year, subject teacher, Attendance Officer, BLT
- Communication with parents/carers: text, telephone call, letters, meeting with Attendance Officer, class teacher/form tutor, Year Leader, Head of Year, BLT
- Referral through Inclusion Panel to internal or external support
- Serious Concern Meetings with BLT and other key staff and student and parent/carer to agree strategies for improving attendance

## 6. Attendance monitoring

**Attendance Officer:** The Attendance Officer monitors pupil absence on a daily basis.

**Students:** Each secondary student has an attendance monitoring section in their student planner which they should complete weekly. This enables them to take responsibility for monitoring their own absence patterns throughout the year. Form Tutors lead on this by allocating time during registration each week for self-monitoring.

**Class teachers/Form Tutors:** The Attendance Officer provides all class teachers/form tutors with colour coded weekly attendance figures for their class to support class teachers/form tutors in monitoring attendance patterns.

**Class teachers/form tutors:** Should display the weekly colour coded attendance overview for their class and ensure that their group's attendance league table poster is completed with the group's attendance for the last week and their position in the year group attendance league table.

**Class teachers/Form Tutors:** Note absence closely and follow up all absences from school.

**Parents:** Parents/carers are notified of their child's absence as quickly as possible by Truancy Call (school's automated system) before 10.30am every day. Follow up absence letters are sent where no explanation from home has been given. Parents/carers can monitor their child's absence levels and support their improvement in attendance.

**Parents:** Parents/carers are expected to telephone the school as quickly as possible if their child is unable to attend (see section 3.2). Parents/carers can contact the school by calling the dedicated absence number or emailing the absence email address. Parents/carers must contact the school on each day of absence unless a doctor's note or other appropriate form of

evidence has been provided. Parents/carers can also provide a written note to clarify further details of reasons for absence. In addition, there are pages in the Student Planner which can be used instead of a note. Notes are filed for future reference by the Attendance Officer.

**Heads of Year/Year Leaders:** monitor absence of their whole year cohort daily, weekly and termly using the attendance data provided by class teachers/form tutors and the Attendance Officer.

**Buxton Leadership Team/Heads of Year/Year Leaders:** have access to SIMS Lesson monitor system and can instantly check on attendance levels for individual students and groups of students

**Buxton Leadership Team:** monitor attendance every week by reviewing the weekly attendance report for the whole school, year groups and individuals.

If after contacting parents a pupil's absence continue to rise, we will consider involving an education welfare officer.

The persistent absence threshold is 10%. If a pupil's individual overall absence rate is greater than or equal to 10%, the pupil will be classified as a persistent absentee.

Pupil-level absence data is collected each term and published at national and local authority level through the DfE's school absence national statistics releases. The underlying school-level absence data is published alongside the national statistics. We compare our attendance data to the national average, and share this with governors.

## 7. Roles and responsibilities

### 7.1 Parents and Carers

Parents/carers should:

- Ensure that their children arrive at school on time, appropriately dressed and ready to learn
- Instill in their children an appreciation of the importance of attending school every day
- Ensure that they are aware of the school's attendance policy
- Take an active interest in their children's school career, praising and encouraging good work and behaviour and attending parents/carers evening and other relevant meetings
- Work in partnership with their children's school to resolve issues which may lead to lateness or non-attendance
- Notify their children's school if they are absent. This should be done on the first day of absence. They should provide an explanation for the absence. This explanation should be confirmed, preferably in writing, when the children return to school

- Avoid making medical or dental appointments during school hours
- Not book holidays during term time

## **7.2 The Governing Body**

- The governing body is responsible for monitoring attendance figures for the whole school on at least a termly basis. It also holds the Executive Headteacher to account for the implementation of this policy.
- Should ensure administrative and support staff have clear responsibilities and procedures to follow to promote and manage attendance.
- Ensure they have the time and the permission to follow procedures through.

*The Link governor for attendance and Punctuality is.....*

## **7.3 The Executive Headteacher**

The Executive Headteacher is responsible for ensuring this policy is implemented consistently across the school, and for monitoring school-level absence data and reporting it to governors.

## **7.4 The Deputy Headteacher with responsibility for Attendance and Punctuality**

*(Leading on effective whole school systems and interventions to reduce absence and persistent absence by monitoring and analysing whole school absence data and ensuring staff accountability for accurate recording of absence, coding of absence and analysis of year group/individual data in order to implement effective interventions.)*

- Monitors whole school attendance targets, systems and roles
- Maintains constant school wide focus on ensuring outstanding attendance
- Ensures pupils receive relevant awards for outstanding attendance
- Monitors whole school data to identify patterns and appropriate interventions (weekly and termly)
- Weekly meeting with Attendance Officer
- Liaises with pastoral teams to reduce absence
- Liaises with attendance lead in LA
- Attends serious concern meetings for PA pupils and families

**7.5 Heads of Year/Year Leaders** (*accountable for reducing absence and persistent absence by monitoring data for their cohort and ensuring class teacher/form tutor accountability for accurate recording of attendance, coding of absence in order to implement effective interventions*)

- Fortnightly Inclusion Meetings/dialogue with attendance officer
- Using weekly/termly attendance reports to monitor year cohort to identify patterns and appropriate interventions
- Leading class teacher/form tutor team to reduce absence
- Regular attendance concern meetings for small groups/individuals/parents/carers
- Make use of assemblies and communication with parents/carers to reduce absence/celebrate excellent attendance
- Maintain year group focus on attendance and punctuality

**7.6 The Attendance Officer** (*Responsible for collating and analyzing weekly, termly and annual data on attendance, absence, persistent absence for the whole school, year group and individual PA/target students.*)

The attendance officer:

- Follows the school's procedures for first day calling. If no explanation has been received by the time registers close, seek one.
- Is prepared to be assertive. Parents must explain absence. Explanations need to be plausible. Avoid any sense of collusion with parents over unnecessary absence.
- Issues attendance letters where required. Make sure they have the effect intended. Do not tolerate a lack of response. Seek advice when you need it.
- Advises the deputy headteacher of any teacher who fails to maintain the register properly. Registers are legal documents and must be kept carefully and accurately.
- Assists the deputy headteacher and others in collating data for inclusion reports, attendance returns etc
- Monitors attendance data at the school and individual pupil level
- Check and file all absence notes that are received and ensure that details are reflected appropriately through categorization of absence in the registers
- Reports concerns about attendance to the deputy headteacher in weekly meetings
- Works with education welfare officers to tackle persistent absence
- Arranges calls and meetings with parents to discuss attendance issues
- Advises the deputy headteacher when to issue fixed-penalty notices
- Refers children to BACME/completes referrals to the LA for children who are missing/from education

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#### **7.4 Class teachers/form tutors**

Class teachers/form tutors are responsible for recording attendance on a daily basis, using the correct codes, and submitting this information to the school office. They should:

- Do not accept poor attendance. Make 100% attendance the expectation.
- Promote regular attendance through rewards and other encouragement. Make it your business and make it clear that poor or erratic attendance is not expected or acceptable.
- Ensure that registers are always completed appropriately; never leave blank spaces. Never complete in pencil. Never amend with correction fluid.
- Look carefully at attendance data. Make it your business to spot patterns of absence and overall levels of attendance of individuals.
- Make a personal connection with parents of pupils who have regular absence, or patterns of irregular attendance.
- Ensure the Head teacher or Attendance Lead is informed of concerns over attendance.
  - Following absence, do your best to provide catch-up opportunities so absentees do not fall behind. Where appropriate, ask parents to play a part in reinforcing missed learning.

#### **7.5 Office/Reception staff**

Office/reception staff are expected to take calls from parents about absence and ensure it is recorded on the school system.

### **8. Monitoring arrangements**

This policy will be reviewed annually by the Governing Body

### **9. Links with other policies**

This policy is linked to our:

- Safeguarding and Child Protection Policy
- Behaviour Policy
- Support Children with Medical Conditions Policy

## Appendix I: attendance codes

The following codes are taken from the DfE's guidance on school attendance.

Code	Definition	Scenario
<b>I</b>	Present (am)	Pupil is present at morning registration
<b>\</b>	Present (pm)	Pupil is present at afternoon registration
<b>L</b>	Late arrival	Pupil arrives late before register has closed
<b>B</b>	Off-site educational activity	Pupil is at a supervised off-site educational activity approved by the school
<b>D</b>	Dual registered	Pupil is attending a session at another setting where they are also registered
<b>J</b>	Interview	Pupil has an interview with a prospective employer/educational establishment
<b>P</b>	Sporting activity	Pupil is participating in a supervised sporting activity approved by the school
<b>V</b>	Educational trip or visit	Pupil is on an educational visit/trip organised, or approved, by the school
<b>W</b>	Work experience	Pupil is on a work experience placement

Code	Definition	Scenario
<b>Authorised absence</b>		
<b>C</b>	Authorised leave of absence	Pupil has been granted a leave of absence due to exceptional circumstances
<b>E</b>	Excluded	Pupil has been excluded but no alternative provision has been made

<b>H</b>	Authorised holiday	Pupil has been allowed to go on holiday due to exceptional circumstances
<b>I</b>	Illness	School has been notified that a pupil will be absent due to illness
<b>M</b>	Medical/dental appointment	Pupil is at a medical or dental appointment
<b>R</b>	Religious observance	Pupil is taking part in a day of religious observance
<b>S</b>	Study leave	Year 11 pupil is on study leave during their public examinations
<b>T</b>	Gypsy, Roma and Traveller absence	Pupil from a Traveller community is travelling, as agreed with the school
<b>Unauthorised absence</b>		
<b>G</b>	Unauthorised holiday	Pupil is on a holiday that was not approved by the school
<b>N</b>	Reason not provided	Pupil is absent for an unknown reason (this code should be amended when the reason emerges, or replaced with code O if no reason for absence has been provided after a reasonable amount of time)
<b>O</b>	Unauthorised absence	School is not satisfied with reason for pupil's absence
<b>U</b>	Arrival after registration	Pupil arrived at school after the register closed

<b>Code</b>	<b>Definition</b>	<b>Scenario</b>
<b>X</b>	Not required to be in school	Pupil of non-compulsory school age is not required to attend
<b>Y</b>	Unable to attend due to exceptional circumstances	School site is closed, there is disruption to travel as a result of a local/national emergency, or pupil is in custody
<b>Z</b>	Pupil not on admission register	Register set up but pupil has not yet joined the school
<b>#</b>	Planned school closure	Whole or partial school closure due to half-term/bank holiday/INSET day

## **APPENDIX 2: Fixed Penalty Notices Code of Conduct**

**(from Waltham Forest Attendance Protocol 2018-19)**

### **Legislation**

1. Section 23 of the Anti-Social Behaviour Act 2003 introduced amendments to s444 Education Act 1996 to empower designated LA officers, Head Teachers (and Deputy or Assistant Head Teachers authorised by them) and the Police to issue Penalty Notices in cases of unauthorised absence from school. Section 105 of the Education and Inspections Act 2006 enables Penalty Notices to be issued to parents of excluded children who breach the duty to ensure that their child is not present in a public place during the first five days of exclusion. Revised regulations and guidance relating to Penalty Notices in cases of truancy and exclusions came into force on 1<sup>st</sup> September 2007. The Local Authority is responsible for drawing up a local Code of Conduct after consultation and in accordance with the Regulations.
2. According to the law, parental responsibility lies individually with each parent. This includes the legal obligation to ensure regular and punctual school attendance. When parents do not gain the school's permission this means that both parents have failed to ensure that their child attends school regularly and as a result a penalty notice will be sent separately to each parent for each child.

### **Rationale**

3. Regular and punctual attendance at school is both a legal requirement and essential for pupils to maximise their educational opportunities. In law an offence occurs if a parent/carer fails to secure a child's attendance at a school at which they are a registered pupil and that absence is not authorised by the school. Penalty notices supplement the existing sanctions currently available under Section 444 Education Act 1996 or Section 36 Children's Act 1989 to enforce attendance at school where appropriate.
4. Parents and pupils are supported at school at LA level to overcome barriers to regular attendance through a wide continuum of assessment and intervention strategies. Sanctions of any nature are for use only where parental co-operation in this process is either absent or deemed insufficient to resolve the problem. Sanctions are used as a means of enforcing attendance where it is likely that their use will secure an improvement.
5. Waltham Forest Behaviour, Attendance and Children Missing Education (BACME) service will support schools to investigate cases of irregular school attendance by following appropriate case work and instigate legal action if applicable. In order to comply with human rights legislation, it is essential that Penalty Notices are issued in a fair and consistent manner across the local authority area. This Code of Conduct will govern the issuing Penalty Notices in respect of unauthorised absence from school and failure to ensure an excluded child is not present in a public place without reasonable justification within the first five days of the exclusion period.
6. It is possible that certain cases of unauthorised absence (or the presence of an excluded child in a public place) can be dealt with by way of a Penalty Notice. Penalty Notices will

involve the recipient paying a fine, currently set at £60.00 if paid within 21 days or £120.00 if paid within 28 days. These new charges commenced on 1<sup>st</sup> September 2012. Where an unauthorised absence has been dealt with by way of Penalty Notice and the Penalty Notice has been paid, it is not possible for a parent to be prosecuted for the same period of unauthorised absence under Section 444(1A) of the Education Act 1996 or for the same instance of an excluded child being present in a public place under Section 103 of the Education and Inspections Act 2006.

### ***Who May Issue A Penalty Notice?***

7. Waltham Forest's Behaviour, Attendance and Children Missing Education (BACME) will be responsible for the issuing of all Penalty Notices on behalf of the LA. Penalty Notices may be issued by authorised LA staff, which in Waltham Forest will be staff of the Council's Behaviour, Attendance and Children Missing Education (BACME) service. Head Teachers (and deputy and assistant heads authorised by them) and Police Officers during a truancy sweep or in respect of excluded pupils being in public places are enabled by law to issue Penalty Notices.
8. In accordance with this Code of Conduct, except in exceptional circumstances, within Waltham Forest only the Behaviour, Attendance and Children Missing Education (BACME) Service will issue such Notices, to avoid duplication and to ensure consistency across the borough. If a Head Teacher (or authorised Deputy/Assistant Head) feels there is an exceptional circumstance and wish to issue a Penalty Notice, they must present cases to the local authority.

### ***Circumstances Where A Penalty Notice May Be Issued***

9. The issuing of Penalty Notices may be appropriate in the following circumstances:
  - a. ***Absence from school***
    - In cases of overt truancy
    - Parental condoned absences
    - In cases of leave during term time, where the absence has not been authorised by the school.
    - In cases where an absence during term time has been agreed by the school, and a child fails to return by the deadline stipulated.
    - Where leave has not been sought but taken
  - b. ***Lateness***
    - In cases where a child persistently arrives at school after the register has closed.
  - c. ***Following a Truancy Patrol***

- Penalty Notices will not be issued during a truancy patrol but enquiries will be undertaken with the school of any pupil stopped. In cases where the school has recorded an unauthorised absence and where the pupil has been stopped on a previous truancy patrol within the past twelve months, a Penalty Notice may be issued.

**d. Excluded Children**

- Where a child has been excluded from school and is found in a public place during school hours without reasonable justification within the first five days of the exclusion period.
- Reasonable justification will be assessed on the individual circumstances of each case and all relevant evidence provided will be taken into account. Reasonable justification may include medical emergency of the parent or child or pre-arranged medical appointment.
- Unreasonable justification would be regarded as such if no clear evidence has been provided by the parent/carer as to why the excluded child is found to be in a public area within the first five days of the exclusion period.

**Procedures for issuing Penalty Notices**

10. Primary responsibility for issuing Penalty Notices rests with the Behaviour, Attendance and Children Missing Education (BACME) service. The Behaviour, Attendance and Children Missing Education (BACME) service will receive requests from schools to serve Penalty Notices and will do so in partnership with the schools, when the circumstances of the pupil's absence or exclusion meet the relevant criteria.
11. The Behaviour, Attendance and Children Missing Education (BACME) Service will maintain a record of all notifications.
12. To avoid the issue of duplicate Notices, in exceptional circumstances where a school or Police Officer intend to issue a Notice, a check must first be made with the BACME Service. This will avoid the possibility of parents receiving Penalty Notices from more than one source in respect of the same period of unauthorised absence.
13. The LA policy is that a parent is not issued more than two penalty notices in a twelve-month period and that after the issue of two penalty notices the school will liaise with the LA to instigate court proceedings.
14. In the case of excluded children being in a public place, there is no limit to the number of Penalty Notices that may be issued within a twelve-month period.
15. Requests from schools to issue Notices must be accompanied by full relevant information concerning the circumstances of the unauthorised absence and all other information necessary to assess whether the request falls within the parameters of the Code of Conduct.

**Thresholds for Issuing Penalty Notices**

16. A Penalty Notice will normally only be issued where a pupil has failed to attend school regularly. This may comprise a series of single or half-day unauthorised absences or a block of unauthorised absence such as an unauthorised term time holiday. The LA will not issue

a penalty notice for less than 3 days of school absence as in law this does not constitute irregular absence;

17. **and** the LA is satisfied that there is evidence sufficient to show that an offence under Section 444 of the Education Act 1996 has been committed;
18. **or** the LA is satisfied that there is sufficient evidence to show an offence has been committed under Section 103 of the Education and Inspections Act 2006.

### **Warnings**

19. A formal warning of the possibility of a Penalty Notice being issued will normally be served before issue of a Notice. This warning may take the form of a general warning letter sent out as part of the school's documentation and policies: a specific warning contained in the exclusion letter sent to the parents of a child permanently excluded from school: or a specific warning contained in a letter refusing to authorise term time holiday absence.

### **Payment**

20. Arrangements for paying penalties will be set out on the invoice attached to penalty Notices.

### **Procedures for withdrawing Penalty Notices**

21. Once a Penalty Notice has been issued, it may only be withdrawn by the Local Authority (Behaviour, Attendance and Children Missing Education Service) in the following circumstances:
  - The Notice has been issued to the wrong person.
  - The Notice should not to have been issued (issued outside of the Local Code of Conduct or no offence committed as absence authorised).
  - Where the Notice contains material errors.
  - In the circumstances of permanent exclusion, reasonable justification has been made out by the parent.

## **Appendix 3**

### **LBWF Attendance Protocol 2018-2019**