

Attendance Policy

Kinderley CP School



Signed:

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Kinderley CP School Attendance Policy

Introduction

If a child is registered at a school they must by law attend that school regularly and punctually. Children should only miss school if they are ill or unable to attend for some other unavoidable reason.

If a child is absent and school either does not receive an explanation for their absence, or considers the explanation unsatisfactory, it will record their absence as 'unauthorised', that is, as truancy.

'There are 190 days in a school year. This means there are 175 days in the year available to use for holidays. Every school day counts! Children of school-age who are registered at a school must, by law, attend that school regularly. When a child is absent from school, attainment is affected. He or she misses the lessons provided and is also less prepared for the lessons after his or her return to school. Absence does have a negative effect on social relationships and friendships.'

Wisbech Schools' Partnership Attendance Matters

The expectation for school attendance 100% attendance which is achieved by many pupils every year.

Key Information

A child becomes of compulsory school age when they reach the age of five and, where a parent has elected to register their child at school, they must start school in the term following their fifth birthday at the latest (although parents of many children choose to send them earlier). A child continues to be of compulsory school age until the last Friday in June in the school year that they reach the age of 16. After this age, the legal requirement to participate in education or training will fall to the young person. The law does not grant an automatic right to take children out of school during term time. Government regulations have removed the discretion on headteachers agreeing to term-time absence unless there are **exceptional** circumstances.

Most absences for acceptable reasons will be authorised by the school:

- illness (specific reason to be given)
- unavoidable medical or dental appointments (if possible, these should be arranged for after school or during school holidays)
- days of religious observance
- exceptional family circumstances, such as bereavement

The following examples are reasons why a school may not authorise absence:

- shopping during school hours
- day trips
- birthdays
- looking after brothers or sisters or ill relatives
- travelling back from concerts, sporting events etc
- term time holiday

If a child is late, they will be marked as L for up to 30 minutes after start of day and the number of minutes late will be recorded. If they are more than 30 minutes late and there is no acceptable reason, the absence will be unauthorised and marked as U with the number of minutes recorded.

Education Welfare Officers

If a child's attendance is unsatisfactory and not improving despite support from the school, the school will make a referral to their Education Welfare Officer (EWO). Before a referral is made, Wisbech schools use the 'three letter system' to identify the cause for concern, and offer support to improve attendance and punctuality (see Appendix A). The EWO may write to the child's family, or ask to meet with parents or carers to discuss the concerns. The Education Welfare Officer will then agree a plan of action to improve the child's attendance. This may involve further support in school or from other agencies such as Health or Social Care. Details of local Education Welfare Officers can be found on the [Family Information Directory](#) via www.cambridgeshire.gov.uk

Rights and Responsibilities

Parents have a legal duty to ensure their child receive an appropriate education. If their child is registered at a school, parents must ensure they attend.

What can parents do to ensure good attendance?

'Make sure your child arrives at school on time. This encourages habits of good timekeeping and lessens any possible classroom disruption. If your child arrives after the register has closed without a good reason, this will be recorded as an 'unauthorised' absence for that session.

If your child has to miss school it is vital that you let the school know why preferably on the first morning of the absence.

If you know or think that your child is having difficulties attending school you should contact the school. It is better to do this sooner rather than later, as most problems can be dealt with very quickly.'

Education – Your Rights and Responsibilities www.cambridgeshire.gov.uk

Persistent Absence

Persistent absence is classified as when a child's attendance at school has been less than 90%.

Penalty Notices

Penalty Notices may only be issued in relation to a child whose attendance at school has been below 90% over the previous 6 week period, where absence has been unauthorised. Fines are £60 per parent, per child (if paid within 21 days, increasing to £120 for the next 7 days). The fines are retained by the Local Authority, and are not returned to schools.

Family holidays

Penalty notices may be issued if a child is absent from school during term time for a family holiday.

Exceptional circumstances

If you feel that there are exceptional circumstances for leave of absence from school then you must complete a Leave of Absence form outlining the exceptional circumstances. It is the responsibility of parents to provide sufficient information to justify the request. The decision will be based on the information provided and you may be asked to provide evidence to support the request. Permission must be sought in advance, as schools cannot authorise absence retrospectively. You will receive a written response to your request. If a child is

taken out of school after the school refuses a request or without a request being made, then this will be recorded as unauthorised absence and a Penalty Notice may be issued.

School Closure

If the school is closed for health and safety reasons, e.g. snowy weather or heating breakdown, the school will send a text message via Parentmail and will add details of the closure to the school website.

School closures will also appear on the county website. Cambridgeshire County Council publishes details of closures, once schools have notified the council they are closed, open or partly open. To find details go to www.cambridgeshire.gov.uk. Click on Children and Families, then Term Dates and School Closures and finally School Closures. Click on K, find Kinderley to check whether the school is open. Closures are also broadcast on local radio (Radio Cambridgeshire 95.7, Heart Radio 102.7, KLFM 96.2).

If you are still unsure whether the school is open, you could phone the school or Cambridgeshire County Council Helpline on 01223 707399.

Wisbech Schools' Partnership Attendance Matters

Attendance Matters is a newsletter which is sent out to families of children who attend schools within the Wisbech Schools' Partnership. The newsletter will keep families updated on the latest attendance information and news.

Education: Your rights and responsibilities

The following information for parents was sourced from www.cambridgeshire.gov.uk in September 2018:

Non-Attendance and the Law

All parents have a legal duty to ensure that their child receives an education suitable to his/her age, ability and aptitude and any special needs. Most parents fulfil their legal obligation by registering their child in a school.

Children must legally be in education between the school term after their 5th birthday and the last Friday in June in the school year they turn 16.

School Attendance order

Should you fail to register your child at a school and not make suitable alternative education arrangements, the Council may issue a school attendance order requiring you to register your child at a named school.

Non-Attendance at school

Failure to ensure a child's regular attendance at school is a criminal offence and if, with support from the school's attendance officer and / or the local authority education welfare officer, your child's attendance fails to improve, the education welfare officer will consider one of two courses of action:

- Penalty fine of £60 (if paid within 21 days), rising to £120 (if paid after 21 days but before 28 days have elapsed). Failing to pay the fine will result in prosecution.
- Prosecution in the magistrates' court.

It is the responsibility of each parent to ensure regular school attendance and failure to do so will result in each parent being charged with the offence. If convicted, both parents will be punished by the courts, resulting in a fine of up to £2,500 for each parent and / or up to 3 months custodial sentence.

If a child lives with a family friend or relative for a period of time who has day to day care of the child, each responsible adult is considered as 'Parent' under the Education Act and can equally be charged with the same offence and prosecuted.

A penalty notice code of conduct is available on the Cambridgeshire website.

The Prosecution Process

The PACE (Police and Criminal Evidence) interview

Should your child's attendance fail to improve, in spite of help from the school and an education welfare officer, you will be invited to a formal PACE interview held under caution.

- A school representative and any others involved with you may also be invited. If you wish, you may have a legal representative at this meeting.
- Before the meeting begins, you will be formally cautioned under the Police and Criminal Evidence Act (PACE) 1984.
- You will be asked a set of questions under formal caution. The aim of this interview will be to establish if an offence has been committed under the Education Act 1996.
- A record of the PACE interview will be given to you and shared with the Legal Panel who will make a final decision on legal intervention appropriate to your case. The decision made will be communicated to you in writing.

Court

Should Cambridgeshire County Council decide to take legal action against you, you will be served with a summons to appear before a magistrate's court. You will receive a copy of the statement of the education welfare officer and possibly a member of school staff, and any supporting documents ('exhibits').

Should you fail to attend, the court may consider issuing a warrant for your arrest or decide to hear the case in your absence.

The case will be heard by the magistrates. A court usher will be available to help you.

The court clerk will read the charge. You will be asked to plead 'guilty' or 'not guilty'. Should you plead not guilty, the case will be adjourned to a future date. Should you plead guilty, the case will be heard immediately.

The court will first hear the evidence from the prosecution. You or your legal representative will then be able to either make the case for the defence (if you have pleaded not guilty), or (if you have pleaded guilty) explain any reasons why your child has not attended school regularly.

The magistrates will then decide how they intend to deal with the case.

Possible Outcomes

Should you have pleaded guilty or be found guilty, the sentencing/disposal options available to the magistrates are:

- a fine of up to £2,500
- a conditional discharge – you will be given a set amount of time in which to improve your child's attendance. Should you fail the Council may bring a further prosecution against you and, if found guilty, you will be sentenced for both offences
- an absolute discharge – the case is proved but you will not be subject to a penalty, although you will receive a conviction
- deferred sentence – a new court date will be arranged, during which time you will be expected to have taken steps to improve your child's school attendance. Sentence will be passed at this new hearing
- imprisonment – only for the more serious (aggravated) offence but it can be for up to three months
- parenting order – the magistrates may order you to attend parenting classes

Education Supervision Order

The court may also direct that the Council considers making an application for an education supervision order. The education welfare officer may also decide on this option as an alternative to prosecution. Applications for education supervision orders are heard in the family court, and if granted you and your child will be directed by the court to co-operate with the Council to ensure that your child attends school regularly.

What happens next?

Regardless of the outcome in court, you will continue to receive support from the education welfare officer and the school to ensure that your child attends school. Should your child return to school and attend regularly, no further legal action will be taken against you.

How we can help

Education welfare officers (EWO) aim to ensure that all children receive an education, contact your child's school or college if you would like to speak to one. You can also contact education welfare officers direct through district teams (details available by clicking link on website).

Appendices

- A. Managing Attendance - Three Letter System
- B. Leave of Absence Form