



West Ewell Primary School and Nursery

Attendance Policy 2018

APPENDIX 1 – ATTENDANCE CODES

APPENDIX 2 - SCC CODE OF CONDUCT FOR THE USE PENALTY NOTICES IN CASES OF NON-ATTENDANCE AT SCHOOL

This policy for West Ewell Primary School and Nursery has been developed from that adopted by the Epsom and Ewell Partnership of Schools¹ during 2012. All schools in the Partnership are committed to developing and implementing a consistent and transparent set of joint standards and approaches which improve and maintain attendance in local schools. Educational Welfare Officers, attached to local schools, help monitor and improve attendance by supporting families who are causing concern.

ATTENDANCE POLICY

This revised policy will come into effect from, 30th October 2018 until this point the current policy will apply.

All holiday requests will be considered to be unauthorised leave of absence. Any appeal will be heard by the Governing Body, whose decision will be final. All other requests for leave will be considered on a case by case basis by the Governing Body that may, at its discretion, delegate some decisions to the Headteacher. Again, the decision of the Governing Body will be final.

West Ewell Primary School and Nursery, along with other local schools and Surrey County Council, firmly believe that all pupils benefit from regular school attendance. Full and regular attendance at school is crucial for a child's future life chances and establishes a positive work ethic early in life. To this end we will do all we can to encourage parents/carers to ensure their children achieve maximum possible attendance and that any problems that prevent full attendance are identified and acted on promptly. Pupils will be expected to achieve 100% attendance but when absence is unavoidable, parents/carers will be required to inform the School at the earliest opportunity.

Parents/carers, whose children are of compulsory school age (5 to 16) and are registered at a school, are responsible for ensuring that their children attend school regularly. If they do not do so they may be committing an offence under the Education Act 1996 and could be liable to prosecution or to be served with a penalty notice.

In line with the Education Regulations (Pupil Registration) 2006, all unexplained absences of 10 consecutive school days are required to be reported to the Local Authority, although schools may wish to discuss such an absence sooner with their EWO if the absence is unauthorised, parents/carers cannot be contacted or there are other concerns. Schools are required to report all absence figures to the local authority and the DFE and to ensure they are recorded on a child's annual report. Rates of absence are also taken into account by OfSTED as part of a school's inspection.

¹ The Epsom and Ewell Partnership includes all of the 24 (19 primary, 1 special and 4 secondary) schools in Epsom and Ewell.

COMMITMENT TO ATTENDANCE

The staff of West Ewell Primary School and Nursery are committed, in partnership with the parents/carers, students, governors and the Local Authority, to building a school which serves the community and of which the community is proud.

Research clearly demonstrates the link between regular attendance and educational progress and attainment. We are committed to encouraging and supporting parents/carers in ensuring their children achieve maximum possible attendance and that any problems that prevent this are identified and acted on promptly.

Encouraging Regular Attendance

The majority of children attend school on time regularly, the benefits of this can be seen in their academic progress and healthy relationships they enjoy with their peers and staff. With this in mind the School is proactive in encouraging good attendance using the following strategies:

- by providing a caring and welcoming learning environment.
- by responding promptly to a child or parents/carers concerns about the school or other pupils.
- by accurate and punctual completion of registers during morning and afternoon registration.
- parents are provided with attendance data for their child and an annual summary with their annual report.
by celebrating good attendance both termly and annually; certificates are awarded for full term attendance, and prizes are drawn.
- ensuring all staff take a proactive approach to promoting good attendance and apply this policy consistently and equitably.

PARENT RESPONSIBILITY AND THE LAW

The Education Act 1996 Part 1, Section 7 states:

The parent/carer of every child of compulsory school age shall cause him/her to receive efficient full-time education suitable-

- (a) to his/her age, ability and aptitude; and
- (b) to any special needs he/she may have
either by regular attendance at school or otherwise.

For educational purposes the term parent/carer is used to include those that have parental responsibility and/or those that have the day to day care of the child.

The legislation that appertains to children who are of compulsory school age and are registered at school is contained within this Act.

Part V1 Section 444 contains the details of when an offence is committed if a child fails to attend school.

REGISTERS

Under the provision of the Education Act 1996 (s434) and the Student Registration Regulations 1995 the School must keep an attendance register.

Any child who is absent from School at the morning or afternoon registration period must have their absence recorded as being authorised, unauthorised or as an approved educational activity [attendance out of School]. Only the Headteacher or a member of staff acting on their behalf can authorise absence. If there is no known reason for the absence at registration, then the absence must be recorded in the first instance as 'no reason given'. This will then be changed to 'unauthorised' after 10 days if no reason has yet been provided. Letters will be sent home to seek reasons for unauthorised absences.

CATEGORISATION OF ABSENCE

Any pupil who is on roll but not present in the School must be recorded within one of these categories.

1. Unauthorised absence

This is for those pupils where no reason has been provided (after a period of 10 school days from the date the absence took place), or whose absence is deemed to be without valid reason. This includes:

- Parents/carers keeping children off School unnecessarily
- Absences which have never been properly explained
- Shopping, looking after other children or birthdays
- Excessive illness without medical evidence

2. Authorised Absence

This is for those pupils who are away from school for a reason that is deemed to be valid under the Education Act 1996.

3. Approved Educational Activity

This covers types of supervised educational activity undertaken off site but with the approval of the School.

Note: Pupils recorded in this category are deemed to be present for attendance returns purposes.

This would include:

- Work experience placements
- Field trips and educational visits
- Sporting activities
- Link courses or approved education off site
- Most types of dual registration

REGISTRATION & LATENESS

The School day begins at 8.50, for children to start learning at 9.00a.m. Classroom staff are responsible for keeping an accurate register of attendance at the beginning of both the morning and afternoon session. At the close of registration all registers must be returned to the school office so that the children's attendance can be monitored and where necessary action taken in relation to any unexplained absence.

Morning registration will take place at 9a.m. The registers will remain open between 9a.m. and 9.15a.m. Any child who arrives after the register has been taken but before 9.15a.m. will be marked late "L".

Any pupil who arrives after 9.15a.m. when the registers have been closed, must be signed in by their parent using the electronic sign in system in the School's front office. Pupils arriving after 9.15a.m. will be marked as "U", which statistically counts as an unauthorised absence. If a reason is given for the late arrival, for example, attending an early morning medical appointment, the appropriate authorised absence code will be entered **(See Appendix 1)**. Prior notice must be received by the school where possible.

The afternoon registration will be taken at either 12.30p.m. or 1.00p.m. (depending on your child's class).

In cases of persistent late arrival to school, parents will initially be spoken to by the class teacher or ultimately be invited to a meeting with the Headteacher and/or the Attendance Officer.

ESCALATION PROCESS

If a child is absent for any reason, it is the responsibility of the parent to notify the School before 9.00a.m. However if the child is absent and no reason has been provided the following procedure will apply:

1. First Day Absence

The school will contact the parent to request a reason for absence. School will note any reason given for absence and will categorise it as authorised or unauthorised. If the School is unable to make contact then wherever possible a message will be left.

2. Second Day Absence

If the School has been unable to make contact with parents on day one, once again, they will contact the parents to ascertain a reason for absence. The School will note any reason given for absence and will categorise it as authorised or unauthorised.

3. Third Day Absence

The School will contact the parent to request reason for absence. The School will note any reason given for absence. Where we have been unable to make contact with parents, in addition to wherever possible leaving a message, the School will send a letter to endeavour to ascertain a reason for absence and requests parents make contact with the school at their earliest convenience.

4. Ten Days Absence

Any pupil who is absent without an explanation for 10 consecutive days will automatically be notified to the Local Authority (if this has not already happened), by submitting a referral to Education Welfare; this is a legal requirement. As part of this referral the school will include details of the action that they have taken. For a child on the 'at Risk' Register or defined as a 'Child in Need' or on a Child Protection plan, contact with social care and/or Education Welfare will be made at an earlier stage. Where we have been unable to make contact with parents and there has been no response to the letter sent on day three, the School will make contact with Educational Welfare Officer to seek further advice.

5. Frequent Absence

Whilst at some point most children will be off school due to illness however regular absenteeism can disguise a reluctance to attend school. All problems relating to irregular attendance are best sorted out between the School and home. If a child is reluctant to attend School, it is unhelpful for families to cover up their absence or give into pressure to excuse them from attending; this gives the impression that attendance does not matter and usually makes returning to School more difficult.

Education Welfare meets with school staff on a regular basis to discuss attendance concerns.

In cases where a pupil begins to develop a pattern of absences, the school will try to resolve the problem with the parent/s by:

1. Discussions between School and home.
2. A letter to the parents stating the School's concerns.
3. A meeting at the School with the Headteacher and Attendance Officer.

If this is unsuccessful the School will refer to Education Welfare.

PERSISTENT ABSENCE (PA)

A pupil becomes a 'persistent absentee' when they miss 10% or more schooling across the school year for whatever reason. Absence at this level is considerably damaging to a child's educational prospects and the School requires parents' full support and co-operation in addressing this.

The School monitors all absence thoroughly and any case that is seen to have reached the Persistent Absence mark, or is at risk of moving towards that mark, is given priority. Parents will be notified by letter if their child becomes a persistent absentee and be invited to a meeting where an action plan will be drawn up to address the issues identified by the Educational Welfare Officer.

EXCEPTIONAL LEAVE OF ABSENCE

There is no automatic entitlement in law to time off in school time to go on holiday. The Government, through the Department for Education (DFE), has stated in its guidance (July 2008) that "Schools must remember that they can only approve absence for family holidays if they consider that there are special reasons which warrant the holiday."

Any savings that you think you may make by taking a holiday in school time are offset by the cost to your child's education. Research relating to this demonstrates;

- The link between a child's attendance and attainment is irrefutable.
- Graduates earn an average of £15.01 per hour; young people who leave school with no qualifications earn an average of £7.44 per hour.

School will not authorise leave of absence in term time other than in exceptional circumstances.

Where a parent wishes to request a leave of absence, a formal request must be made, in writing, to the Headteacher who will consider the application on behalf of the Governors. As part of the consideration the Headteacher will decide if "exceptional circumstances" apply. Even in cases where "exceptional circumstances" do apply, authorisation will be considered within the context of the child's previous attendance and that the request does

not exceed 10 school days in any one academic year. "Exceptional Circumstances" alone do not guarantee authorisation.

All absences, including holidays, taken without prior authorisation by the School will be recorded as an unauthorised absence, Education Welfare will be notified and in some circumstances parent/s may be liable to a Penalty Notice.

PENALTY NOTICES

TRUANCY PATROL

When a family comes to the notice of a Truancy Patrol, the child's pattern of school attendance is investigated. If there are unauthorised absences in the preceding 4 months, a warning letter may be sent to the parent/carers. If there are further unauthorised absences during the subsequent 15 school days, a Penalty Notice will be issued to each parent/carer.

The Penalty Notice fines are as follows:

- £60 per parent (i.e £120) per child if paid within 28 days of receipt of the notice, rising to £120 (i.e £240) per parent per child if paid after 28 days but within 42 days.
- If the Penalty Notice is not paid within 42 days, the Local Authority will consider legal proceedings against you in the Magistrates Court.

THE EDUCATION WELFARE OFFICER

Education Welfare monitors the attendance of all children on a regular basis. The Education Welfare Officer will work with school and parents to promote good attendance and investigate reasons for absence.

If attendance problems cannot be resolved by school then the school will make a referral to Education Welfare. The Education Welfare Officer will try to resolve the situation but if attempts to improve attendance have failed, but unauthorised absence persists, the Education Welfare Officer can use sanctions such as parenting contracts, penalty notices and prosecution.

Failure to ensure regular school attendance, under section 444 of the Education Act 1996, could result upon conviction in a magistrate's court, to a fine not exceeding £2500 or a term of imprisonment not exceeding three months, or both.

Governors' Committee Responsible:	LT
Policy Originator:	DHT
Review Period:	Annual
Reviewed:	October 2018
Next Review Date:	October 2019
Status:	non-statutory

APPENDIX 1 – ATTENDANCE CODES

All students must be given a registration mark each day. There are two sessions that require a registration mark.

The following national codes will be used to record attendance information.

CODE	DESCRIPTION	MEANING
/	Present (AM)	Present
\	Present (PM)	Present
B	Educated off site (NOT Dual registration)	Approved Education Activity
C	Other Authorised Circumstances (not covered by another appropriate code/description)	Authorised absence
D	Dual registration (i.e. pupil attending other establishment)	Approved Education Activity
E	Excluded (no alternative provision made)	Authorised absence
F	Extended family holiday (agreed)	Authorised absence
G	Family holiday (NOT agreed <u>or</u> days in excess of agreement)	Unauthorised absence
H	Family holiday (agreed)	Authorised absence
I	Illness (NOT medical or dental etc. appointments)	Authorised absence
J	Interview	Approved Education Activity
L	Late (before registers closed)	Present
M	Medical/Dental appointments	Authorised absence
N	No reason yet provided for absence	Unauthorised absence
O	Unauthorised absence (not covered by any other code/description)	Unauthorised absence
P	Approved sporting activity	Approved Education Activity
R	Religious observance	Authorised absence
S	Study leave	Authorised absence
T	Traveller absence	Authorised absence
U	Late (after registers closed)	Unauthorised absence
V	Educational visit or trip	Approved Education Activity
W	Work experience	Approved Education Activity
X	Un-timetabled sessions for non-compulsory school-age pupils	Not counted in possible attendances
Y	Enforced closure	Not counted in possible attendances
Z	Pupil not yet on roll	Not counted in possible attendances
#	School closed to pupils	Not counted in possible attendances

Code of Conduct for the use of Penalty Notices in Cases of Non-Attendance at School

This Code of Conduct is informed by [the Education \(Penalty Notices\) \(England\) Regulations 2007](#), [The Education \(Penalty Notices\) \(England\) \(Amendment\) Regulations 2012](#), and 2013, [The Education \(Pupil Registration\) \(England\) Regulations 2006](#), [the Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2010](#) and 2013 and the [Education and Inspections Act 2006](#).



1.	Introduction and Rationale
1.1	The Anti-Social Behaviour Act 2003 introduced guidance and legislation to supplement existing sanctions, under Section 444 of the Education Act 1996 and Section 36 of the Children Act 1989 (Education Supervision Orders), to aid schools and Local Authorities to enforce attendance at school. This includes additional powers in the form of Penalty Notices for non-attendance.
1.2	Surrey County Council is committed to raising attendance in order to maximise the educational possibilities available to pupils.
1.3	Many cases of non-attendance can be resolved through effective partnership working with parents, individual pupils, schools and other agencies. However, if non-attendance cannot be resolved, or parents actively prevent, or fail to ensure that their children access education, legal sanctions will be considered.
1.4	Penalty Notices are issued: (a) To address pupils' poor attendance by demonstrating that parental failure to ensure children attend school regularly will not be tolerated and; (b) To deter parents from taking children out of school during term time without the authorisation of the school.
1.5	Penalty Notices offer a swift intervention which will be used to combat unauthorised absence. A key consideration should be whether it will be effective in helping the pupil return to regular school attendance, except in the case of unauthorised leave of absence. See 1.4(b) above
1.6	The purpose of this Code of Conduct is to ensure that powers are applied consistently and fairly across the LA, taking into consideration any social, mental health, special educational needs and/or anti-discriminatory issues. The issuing of Penalty Notices must conform with all requirements of the Human Rights Act 1998 and the Equality Act 2010 .
1.7	Audits of all pupils' attendance are carried out by Education Welfare Officers in Surrey Maintained Schools on a regular basis.

01.04.2016

2	Legal Basis
2.1	The Education (Penalty Notices) (England) Regulations 2007 came into force on 1 st September 2007. Section 23 of the Anti Social Behaviour Act 2003 empowers designated Local Authority officers, Head Teachers (and other school personnel authorised by their Head Teachers) and the Police to issue Penalty Notices in cases of unauthorised absence from school. In Surrey, it has been agreed that only Local Authority officers will be authorised to issue Penalty Notices.
2.2	The Education (Penalty Notices) (England) Regulations 2007 require the Local Authority to consult with governing bodies, head teachers and the chief officer of police , to develop a Code of Conduct when issuing Penalty Notices. Any person issuing a Penalty Notice must do so within the terms of this Code of Conduct.
2.3	The Education (Pupil Registration)(England)(Amendment) Regulations 2013, which became law on 1 st September 2013 states that Head teachers may not grant any leave of absence during term time unless there are "exceptional circumstances". The Head teacher is also required to determine the number of school days a child can be away from school if such leave is granted.
2.4	An offence occurs if a parent/carer fails to secure a child's attendance at the school at which they are a registered pupil and that absence is not authorised by the school.
2.5	Within this Code of Conduct a parent is defined as per Section 576 of the Education Act 1996:
	<ul style="list-style-type: none"> • All natural parents, whether married or not.
	<ul style="list-style-type: none"> • Any person who, although not a natural parent, has parental responsibility/care for a child/young person as defined in the Children's Act 1989 through a Court Order, formal agreement, Child Arrangements Order, adoption or becoming the child's legal guardian
	<ul style="list-style-type: none"> • Any person who, although not a natural parent, has care of a child/young person and is considered to be a parent in education law.
2.6	A Penalty Notice will be issued to each parent liable for the offence or offences.
2.7	A Penalty Notice offers an alternative to prosecution, enabling parents to discharge potential liability for a criminal conviction by paying a penalty.
2.8	It is important that schools ensure accurate completion of registers and comply with the registration codes as detailed in the Education (Pupil Registration)(England) Regulations 2006 as amended by the Education (Pupil Registration)(England)(Amendment) Regulations 2010.
3.	Circumstances where a Penalty Notice May be Issued

01.04.2016

3.1	A Penalty Notice can be issued in cases of unauthorised absence resulting in poor attendance and consideration should be given as to whether issue is likely to secure an improvement in attendance.
3.2	Additionally, penalty notices will be issued for one off instances of absence taken in term time without school permission in accordance with The Education (Pupil Registration)(England)(Amendment) Regulations 2013, as shown in 3.7.
3.3	Use of Penalty Notices will be restricted to three per pupil per academic year .
3.4	If two penalty notices have been issued and paid in relation to a particular child, or there has been previous prosecutions, and poor attendance is an ongoing problem, except in exceptional circumstances, information will then be gathered to support a prosecution under Section 444 of the Education Act 1996 rather than a further Penalty Notice being issued.
3.5	In cases where families contain more than one poor-attending pupil, Penalty Notices may be issued to each parent for more than one child. This may not necessarily be simultaneously but the procedural timescales may overlap. Careful consideration will always be given to multiple issues within the same family.
3.6	The issuing of a Penalty Notice for poor attendance may be considered appropriate in the following circumstances:
3.6.1	<i>Unauthorised absences or late arrival after the close of registration, on 7 occasions in any six week period (not including school closures).</i> The liable parent/carer will receive a written warning from the Education Welfare Service of the possibility of a Penalty Notice being issued and given a maximum of 15 school days to effect an improvement. During this period the pupil is not expected to incur any further unauthorised absence. Where a formal warning letter has been issued to parents, the Local Authority will monitor the attendance for a maximum of 15 school days and issue a Penalty Notice by first class post if the Local Authority determine that an acceptable level of attendance has not been achieved
3.6.2	<i>Pupils, identified by Police and Education Welfare Officers engaged on Truancy Patrols, who have incurred unauthorised absence.</i> The liable parent/carer will receive a written warning from the Education Welfare Service of the possibility of a Penalty Notice being issued and given a maximum of 15 school days to effect an improvement. During this period the pupil is not expected to incur any further unauthorised absence. Where a formal warning letter has been issued to parents, the Local Authority will monitor the attendance for a maximum of 15 school days and issue a Penalty Notice by first class post if the Local Authority determine that an acceptable level of attendance has not been achieved
3.6.3	<i>When an excluded pupil is found in a public place during school hours within the first 5 school days of an exclusion without justifiable reason.</i> No written warning will be given where it can be shown that the parent/carer had previously been warned of their liability to receive a Penalty Notice
3.7	The issuing of a penalty notice for unauthorised leave of absence may be considered appropriate in the following circumstances :<i>Unauthorised leave of absence in term time (5 days/10 sessions or more within a three month period – this need not be consecutive) without the authorisation of the school.</i> In the case of separated parents, the penalty notice will be sent to the parent requesting leave of absence and/or taking the pupil out of school. No written warning will be given where it

01.04.2016

	can be shown that the parent/carer had previously been warned of their liability to receive a Penalty Notice.
3.8	Where a Penalty Notice has not been paid, in accordance with The Education (Penalty Notices) (England) Regulations 2007 and Department for Education guidance, the Local Authority is required to investigate the reasons for the absence and decide whether a prosecution is appropriate or withdraw the original Penalty Notice.
4.	Procedure for Issuing Penalty Notices
4.1	<p>The Education Welfare Service will receive all requests for consideration of the issue of Penalty Notices. This will ensure consistent and equitable delivery, avoid duplication, retain school-home relationships and allow cohesion with other enforcement sanctions. Requests will be received from schools (approved by Head Teachers or designated officers), Police and other Local Authorities and action considered, provided that:</p> <ul style="list-style-type: none"> • All relevant information is accurate and supplied in the specified manner on the request form with supporting evidence attached. • The registration certificate accompanying the request must be accurate. It is a legal document and, as such, it must correctly portray the pupil's actual attendance/<u>non attendance</u>. • The circumstances of the pupil's absence shall meet all the requirements of this Code of Conduct. • A School Attendance Policy must include the times the registers open and close. The closure time should be no more than 30 minutes after registration, in accordance with Department for Education guidelines. A "U" symbol will then be used to record a pupil arriving late after the close of register without good reason, which is an unauthorised absence. • The issue of a Penalty Notice does not conflict with other intervention strategies in place or other enforcement sanctions already being processed. • The request by a school for a Penalty Notice to be issued should be received by the Education Welfare Service as soon as possible after the last date of absence specified in the request. Late requests may not be accepted. • In the case of a Year 11 pupil, requests for consideration for a Penalty Notice should be received by the 1st of April, but may be considered for absences after this date if the absence results in the failure of a pupil to attend a pre-arranged external examination.
4.2	In cases where a request for the issue of a Penalty Notice indicates there are other agencies involved with the family, further investigation by the Local Authority will take place before a decision is made. The Court Presentation Officer or the Assistant Court Presentation

01.04.2016

	Officer will ensure that the appropriate legal conditions are met that could justify prosecution, in the event of non-payment of the fine.
4.3	In cases that are open to Education Welfare, consultation will take place with the EWO who has specific knowledge of the family's circumstances before a decision is made.
4.4	When requests for PNs are received which meet the criteria, the Education Welfare Service will:
4.4.1	In appropriate cases, issue a formal written warning to the parent/carer by first class post informing them of the possibility of a Penalty Notice being issued, (except in the case of unauthorised leave of absence in term time where it can be shown that the parents have previously been warned of their liability to receive a Penalty Notice and when an excluded pupil is found in a public place during school hours within the first 5 school days of an exclusion without justifiable reason).
4.4.2	In the same letter, set a period of a maximum of 15 school days from the date of receipt of the letter by the parent, during which time the pupil is not expected to incur any further unauthorised absence. The attendance will be monitored and a Penalty Notice may be issued during, or at the end of the period, if considered, by the Local Authority, to be appropriate.
4.4.3	Issue a Penalty Notice through the post, during, or at the end of the 15 school days period if the Local Authority determine that an acceptable level of attendance is not being achieved. A Notice served by first class post is deemed to have been received on the second working day after posting.
4.5	Schools will be informed that a warning has been issued and will be expected to monitor the attendance and inform the Education Welfare Service of the outcome at the end of the 15 day period.
4.6	Where it is not appropriate to issue a penalty notice because the attendance has improved, but the pupil has incurred some unauthorised absence during the 15 day period, another warning letter can be <u>sent</u> .
4.7	Alternative action should be considered when Penalty Notices have been issued on 2 occasions against the same parent in the same academic year.
5.	Procedure for Withdrawing Penalty Notices

01.04.2016

5.1	<p>Once issued, a Penalty Notice will only be withdrawn in the following circumstances:</p> <ul style="list-style-type: none"> • Proof has been established that the Penalty Notice was issued to the wrong person • The issue of the Penalty Notice did not conform to the terms of this Code of Conduct. • In exceptional circumstances where the issue of a Penalty Notice is deemed inappropriate.
6.	Payment of Penalty Notices
6.1	Arrangements for payment will be detailed on the Penalty Notice.
6.2	Payment of a Penalty Notice discharges the parent/carer liability for the period in question and they cannot subsequently be prosecuted under other enforcement powers for the period covered by the Penalty Notice.
6.3	Payment of a Penalty Notice within 21 calendar days is £60 and payment after this time but within 28 calendar days is £120.
6.4	The Local Authority retains any revenue from Penalty Notices to cover enforcement costs (collection or prosecuting in the event of non-payment).
7.	Non-Payment of Penalty Notices
7.1	Unless withdrawn, non-payment of a Penalty Notice will trigger the prosecution process under the provisions of Section 444 Education Act 1996.
7.2	The parent is not prosecuted for the non-payment of the Penalty Notice but for the offence to which the Penalty Notice relates.
7.3	<p>The period of the offence will be defined as:</p> <p>(a) In the case of unauthorised leave of absence: (see section 3.7) the time the pupil was absent from school without authorisation.</p> <p>(b) In the case of poor attendance: up to 6 months prior to the issue of the summons.</p> <p>(c) In the case of a child being identified on a truancy <u>patrol</u>: up to 6 months prior to the issue of the summons.</p> <p>(d) In the case of <u>exclusion</u>: for any occasion when the child was seen in a public place without justification during school hours.</p>
8.	Policy and Publicity
8.1	All school Attendance Policies should include information on the deployment of Penalty Notices. Steps should be taken to provide parents with clear, accurate and up to date information regarding their liability to receive a Penalty Notice.
8.2	Surrey County Council will include information on the use of Penalty Notices and other attendance enforcement sanctions in relevant promotional/public information material.
9.	Reporting and Review
9.1	The Education Welfare Service will report annually on the deployment and outcomes of Penalty Notices to the Department for Education.

01.04.2016

9.2	The Local Authority will formally review Penalty Notice use at the end of each academic year and amend the general enforcement strategy if appropriate.
10.	Cross Boundary Issues
10.1	Legal intervention and issue of the Penalty Notice is undertaken by the Local Authority where the pupil attends school.
11.	Right of Appeal
11.1	There is no statutory right of appeal against the issue of a Penalty Notice.

01.04.2016