

Melbourn Village College

Attendance Policy	
Committee:	Full Governors
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Responsible Officer:	J Barnes (Assistant Principal)

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1. Introduction

The Cam Academy Trust understands that occasionally a pupil may be legitimately absent from school; individual Colleges will work with parents to mitigate the effects of unavoidable absence. Absence during term-time because of term-time holidays, however, interrupts continuity of teaching and learning, disrupts the educational progress of individual children and creates disruption in schools. Research shows that pupil attendance of less than 95% can impact on pupil attainment by as much as a whole GCSE grade or National Curriculum level.

At Melbourn Village College we expect attendance at school to be 100%, unless there are exceptional or unavoidable reasons for absence.

Colleges within the Trust aim to:

- raise levels of achievement by ensuring the highest possible levels of attendance, punctuality and involvement in the school
- ensure that every pupil has access to the education to which they are entitled
- be proactive to address early patterns of absence

2. Legal and National Context

Amendments to the Education (Pupil Registration) Regulations 2006 make it clear that Principals may not grant leave of absence during term time unless there are very exceptional circumstances. All the Trust Colleges uphold these regulations, and applications for holiday or leave during term time will not be authorised. To avoid difficulty or disappointment, parents are asked to refrain from such requests.

Amendments have also been made to the 2007 Regulations in the Education (Penalty Notices) (England) (Amendment) Regulations 2013. The amendments described below came into force on 1st September 2017.

Penalty notices (fines) may be issued to each parent who fails to ensure their children's regular attendance at school or fails to ensure that their excluded child is not in a public place during the first five days of exclusion. Parents must pay £60 within 21 days; or £120 within 28 days.

Early intervention work will take place to maintain satisfactory attendance levels. Attendance and attainment are linked.

The College will:

- ensure that school advice about term-time holidays is clearly stated on the College website and is regularly communicated to parents
- remind parents of the importance of ensuring their children's regular, uninterrupted school attendance and punctuality
- actively discourage parents from arranging holidays during term-time
- unequivocally remind parents that they do not have any right or entitlement to expect term-time leave to be granted and that all leave is granted at the discretion of the Principal (or those authorised to exercise discretion on his behalf)
- advise parents that non-attendance or absence that is unauthorised at a level of 90% or less could result in parenting contracts, or legal enforcement including Penalty Notices, School Attendance Orders, Education Supervision Orders or prosecution
- provide attendance data on the termly report
- report on attendance to Governors
- pass on attendance data to 16+ providers/centres as required
- advise parents that if leave is taken without authorisation it will be recorded in the school attendance register as unauthorised absence, and that the matter may be referred to the

Local Authority Attendance Officer

3. Promoting Attendance

At Melbourn Village College we expect attendance at school to be 100% unless there are exceptional or unavoidable reasons for absence. The College uses opportunities as they arise to remind parents and pupils of the importance of attendance, for instance through parent information evenings, assemblies and SchoolPost email. Attendance is also celebrated through assemblies, and awards. In addition, the following personnel have a key role in supporting good attendance.

4. Responsibilities

Pastoral (any member of staff with a pastoral role)

In accordance with their specific roles, members of staff with pastoral duties will:

- monitor attendance targets and record keeping
- implement system of rewards and sanctions
- meet with parents to discuss attendance problems as soon as they are identified
- review attendance weekly via the school attendance team, the Local Authority Attendance Officer, and Locality personnel where appropriate
- work with the relevant Senior Leader, SENCO and Locality Team to create individual packages and reintegration plans, where appropriate
- ensure work is provided for excluded students and long-term absentees
- look for patterns of absence and consider impact of curriculum upon attendance alongside other possible causes
- support form tutors on issues of non-attendance including internal truancy, remedying causes and applying sanctions (in liaison with subject staff)
- ensure that pupils who are unable to attend school due to short-term illness are provided with work to complete at home as appropriate
- work with appropriate internal senior staff and external agencies to provide packages of support for students with medical needs in accordance with relevant LA medical needs guidance

Form Tutors

Form tutors will:

- keep accurate registers
- be a good role model for pupils
- give attendance a high profile
- praise pupils for arriving on time
- take prompt action where pupils are late or absent without explanation
- record lateness and refer to Heads of Year/Attendance officer
- inform the Heads of Year/Attendance officer when absence is causing concern

Attendance Officer

The Attendance Officer's duties include to:

- oversee administration of the register system
- streamline and adjust systems and procedures
- keep parents informed of any unexplained absences before they become unauthorised
- lead on strategies to improve attendance of pupils who are identified as being a concern through meetings with pupils and parents
- implement the three-letter warning system
- refer to the Local Authority Attendance Team if absence is unauthorised when attendance is at 90% or less
- support the work of the Senior Leadership Team, Heads of Year/Pastoral Leaders and form tutors, by:

- providing regular attendance information
- contacting parents on first day of absence
- monitoring attendance and punctuality
- alerting form tutors and Heads of Year when concerns arise
- liaising with Heads of Year/SLT to monitor accuracy of record keeping
- keeping the Principal informed of attendance issues
- keeping the Principal informed of inaccurate marking of staff registers as part of an alert system for staff who may not be maintaining accurate recording of registers
- monitoring applications for leave
- meeting with parents to promote attendance where necessary
- implementing and monitoring 3 letter system and PN referrals
- Listing students as CME as per the local authority guidelines
- Advising the local authority of a parental wish to home educate

Class Teachers

Teachers will:

- maintain an accurate class register through the Management Information System, following internal procedures if a pupil is missing
- praise pupils for their punctuality to lessons
- alert the Attendance officer if there are concerns over pupil absence
- ensure unnecessary time out of class is made up by the student

Parents

Parents will:

- ensure that children leave for school on time every day
- provide a written explanation for children's absences from school (this includes medical evidence if requested)
- endeavour not to take children out of school in term time
- notify the school as soon as problems arise with child's attendance
- notify the school on the first and every morning the child is absent
- keep absences for routine medical and dental appointments to a minimum, and where possible, arrange outside of school hours
- provide medical evidence for any illness lasting longer than 4 days or when requested by the college
- complete an exceptional leave request form for any term time leave

Pupils

Pupils will:

- arrive punctually for registration every morning and every afternoon
- be punctual for lessons
- ask parents to explain any absence via phone/email or letter
- sign the Late Book if they are late arriving for school
- sign the Signing Out Book if they are leaving school at any point before the end of the day
- tell their Form tutor, Head of Year or Attendance officer if they are having any problems attending school

Senior Leaders (Inclusion)

Senior Leaders will:

- maintain oversight of whole school attendance including data relating to persistent absenteeism
- maintain oversight of key cohorts of students who are likely to have attendance difficulties e.g. GRT students, disabled students, students with complex medical needs
- ensure that pupils who are unable to attend school for prolonged periods, are provided with work to complete at home, as appropriate, and in accordance with relevant LA guidance
- support form tutors on issues of non-attendance including internal truancy, remedying causes and applying sanctions (in liaison with subject staff)
- refer to the Local Authority Attendance Team if absence is unauthorised when attendance is at 90% or less
- give attendance a high profile at assemblies and school events

The Education Welfare Officer (EWO) and Local Authority Attendance Officer (LAAO)

The Trust employs an Educational Welfare Officer to work across Trust schools and support them in attendance issues. In addition, the school works with the Local Authority Attendance Team. The aim is to work with pupils and parents at an early stage to resolve problems. This is nearly always successful. However, the Local Authority Attendance Officer also has a legal role and if other ways of resolving attendance have failed, these officers will investigate cases and use legal sanctions such as Penalty Notices, PACE interviews or prosecutions in the Magistrates court.

5. Support for Pupils and Parents

Each College provides support for parents and pupils if pupils are struggling to attend school.

Measures include the following:

- attendance reports
- attendance interviews and regular reviews with Heads of Year/Pastoral teams
- meetings with Heads of Year/Pastoral teams, EWO, LAAO and other external agencies to provide support for children and their parents (TACs)
- re-integration programme arranged between pupils, parents, Heads of Year/Pastoral teams, SLT Inclusion and SENCO if appropriate after long-term absence
- individualised curriculum where appropriate
- LAAO involvement through the locality service agreement (referral through Common Assessment Framework: CAF or Statutory Intervention Form: SIF)

6. Sanctions for Poor Attendance and Punctuality

Each College reserves the right to sanction students who fail to meet school attendance requirements, with any of the following:

- detention for truancy or consistent poor punctuality
- subject department detention for truancy or lack of punctuality
- appropriate report for attendance/punctuality
- other, more serious sanctions, for repeated defiance of school attendance rules

Poor attendance or punctuality leading to Local Authority Attendance Officer involvement and referral may lead to:

- parent meetings and investigation
- parent contracts
- penalty notice
- PACE (Police and Criminal Evidence) meetings
- court

Section 444(1) of the Education Act 1996 provides that a parent commits an offence if his or her compulsory school age child who is a registered pupil fails to attend school regularly. This can result in the school offering the parent the opportunity to enter into a parenting contract following a pupil's truancy or non-attendance under section 19 of the Anti-social Behaviour Act 2003. This can also result in the school instigating a Penalty Notice under section 23 of the Anti-social Behaviour Act 2003 (instigated by the Principal and Deputy and Assistant Principals authorised by them, or so authorised by the Local Authority).

Amendments have also been made to the 2007 Regulations in the Education (Penalty Notices) (England) (Amendment) Regulations 2013. The amendments described below came into force on 1st September 2017.

Penalty notices (fines) may be issued to each parent who fails to ensure their children's regular attendance at school or fails to ensure that their excluded child is not in a public place during the first five days of exclusion. Parents must pay £60 within 21 days; or £120 within 28 days. Parenting orders, Education Supervision Orders or Penalty Notices can also be issued. Prosecution by the Education Welfare Service on behalf of the LA. Since September 2015, the level of persistent absence has been set at 90% and below.

7. Useful Contacts

Local Authority Attendance Officer

The Melbourn Village College Local Authority Attendance Officer is Lauren Grainger. She can be contacted directly for help and advice.

Contact details for Mrs Grainger: Lauren.Grainger@cambridgeshire.gov.uk Locality office: Cambridge

The attendance team at Melbourn Village College includes:

Attendance Officer – Emma Tidby
Assistant Principal (Inclusion) – John Barnes
Trust Attendance Officer – Kerry Puttock
LA Attendance Officer – Lauren Grainger

Heads of Year 2019-20

Year 7 Mr J Thomson
Year 8 Mrs K Coghlan
Year 9 Mr S Reynolds
Year 10 Mrs C Nicholls
Year 11 Mr R Barlow

8. Appendices:

Appendix A: Procedure for Reporting Absence from School
Appendix B: Punctuality
Appendix C: Application and Guidance Note
Appendix D: Understanding Types of Absence
Appendix E: Understanding Registration Codes
Appendix F: Penalty Notices

APPENDIX A: PROCEDURE FOR REPORTING ABSENCE FROM SCHOOL

1. If a child is absent from school, the following procedures should be followed to ensure the school is fully informed.
 - 1.1. On each day of absence parents or carers should provide the pupil's name, form group and reason for absence, by either:
 - telephoning College Reception on 01763 223400
 - emailing a message to absence@melbournvc.org
 - 1.2. Third day absence:
 - if the pupil is absent for three days, further contact with Reception is required from the parent or carer to provide details about the pupil's expected date of return
 - Medical evidence may be requested by the college at this point
 - 1.3. Continued absence:
 - in the case of longer-term absence, the Head of Year is informed so that appropriate work or support can be provided
 - 1.4. Ten days' absence:
 - if a pupil is absent without an explanation for 10 consecutive days, this will be notified to the Local Authority by submitting a referral to the Children's Services Attendance Team. This is a legal requirement.
2. If a child needs to be absent during the school day the following procedures are required:
 - College Reception is informed
 - the pupil must sign out before leaving the school premises and sign in on return; this must be authorised
 - Proof of whereabouts will be requested such as an appointment slip
3. School action in the case of pupil absence:
 - on the first day of absence, the Attendance Officer will contact the parent or carer if contact has not already been made (this may be through a text messaging system)
 - an appropriate member of staff accompanied by the Local Authority Attendance Officer or a Senior Colleague is likely to make a home visit in cases that are deemed 'at risk' of poor attendance
 - in the case of pupil attendance that is deemed 'at risk', the parent will be invited to school to discuss absence and actions for improving attendance
 - in the case of a pupil absence moving towards the 90% Persistent Absence (PA) level, the College will inform parents they will not authorise further absence without medical evidence
 - in the case of a pupil absence reaching 90%, the pupil will be referred to the Local Authority Attendance Officer and may be subject to a penalty notice.
4. If a child needs to leave during the school day due to illness or injury:
 - Students are not permitted to call or text home to report an illness
 - Students must inform the office of any illness or injury and be seen by a trained first aider in the first instance
 - The College will decide whether it is necessary to contact home
 - If a parent removes a student before they have been assessed, this absence will be recorded as unauthorised and will be subject to the relevant sanctions
5. Unauthorised absence; what does this mean
 - This means that if a student's attendance drops to below 90% they are considered to be persistently absent. This figure is set by the Government and was updated in September 2015.

A penalty notice may be issued in relation to any student whose attendance is less than 90% in any given period or has 8 unauthorised absences in any given 8 week period. Such a Fine is intended to offer a rapid intervention, which may be used to address non-school attendance before it becomes entrenched.

- If a student takes unauthorised term time leave for 6 consecutive sessions or 3 days or more over a 4-week period, then a penalty notice may be issued regardless of regular attendance figures.

APPENDIX B: PUNCTUALITY

Poor punctuality is not acceptable at Melbourn Village College. If a student misses the start of the day, they can miss vital work and information. Lateness is also disruptive to lessons.

1. The school day

The school starts at **8.40 am**. Pupils are expected to be in their first lesson by **8.45 am**. Any pupil who arrives after this time is registered as late and minutes late will be recorded. They must sign in at reception.

A pupil who is late after 8.45am should sign in at Reception and a 'Late' mark will be given and will need to attend a break time detention in the training room with Mr Barnes. A pupil who arrives after 9.00am will be marked as 'Late' and will receive an after-school detention with a member of SLT. Registers are closed at 9.40am.

Afternoon registration is completed in period 5. Registers are closed at 2pm. If a child arrives late to school due to a medical appointment, a note must accompany the child on his/her return which should be handed to Reception upon signing in. In this case the absence will be recorded as authorised. Please avoid making GP or dentist appointments during the school day.

2. Lesson monitoring

Every lesson is registered through the school internal system. Teachers are expected to ensure that the register is taken as promptly as possible. This is essential to track punctuality and in-school truancy. It is essential that registers are recorded accurately, using the internal system. In the rare occasion that the register is not accessible on the system, a paper copy of the register should be used. In this case the teacher is expected to complete the register and inform the Attendance Office of any absences. If a pupil is late in arriving to lesson, the teacher will record lateness on the system to show the number of minutes late. In this case, the code N should be changed to L.

APPENDIX C

Melbourn Village College- Exceptional Leave Request

Section A Please complete Section A and B below

I request that (pupil) _____ Form _____
be granted absence from Melbourn Village College

from _____ to _____ number of days _____
(inclusive dates)

Please read the guidance overleaf first and then detail the reasons for requesting exceptional leave.
Submit an attached note if insufficient room here.

I confirm that I have read the guidance overleaf and understand the possible sanctions if I take my child out of school without permission.

Signature of Parent/Carer _____ Date _____

<p>Section C Authorised / NOT Authorised _____ %Attendance. History checked _____</p> <p>SLT signature _____ Date _____</p>
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Section B (To be returned to parent) Melbourn Village College - Exceptional Leave Request

Name of student _____ Form _____

Absence from (dates) _____ to _____

<p>Section C Student Attendance _____ % Number of days requested _____</p> <p>Authorised / NOT Authorised Additional comments: _____</p> <p>_____ _____ _____</p> <p>SLT signature _____ Date _____</p>
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You have confirmed that you have read the guidance on exceptional leave requests and understand the possible sanctions if you take your child out of school without permission.

Guidance for requesting Exceptional Leave

As a parent or carer you are strongly urged to avoid taking your child out of college during term time. In the majority of situations such absences will be recorded as unauthorised.

The latest amendments to the Education (Pupil Register) Regulations mean that term time leave can only be authorised in “exceptional circumstances”. Very few situations can be regarded as exceptional. The death / funeral of a close relative will be considered as exceptional. Taking a holiday at a cheaper time of the season, or to fit in with other relative’s plans or travelling to an event early, or returning late, to avoid traffic for your convenience will NOT be considered as exceptional.

If leave is taken without permission it will be recorded as unauthorised absence. This will appear both in the college register and on your child’s report. Any decision about taking legal action as a result of unauthorised leave will be made in consultation with the Local Authority Attendance Officer.

Even when permission is granted the absence will reflect in your child’s attendance statistics. Regardless of the circumstances, the statistics will only record actual attendance, although we will have a record of the reasons for authorised absences.

DFE’s guidance states that:

Can a school fine a parent for taking their child on holiday during term time?

Yes. Parents have a legal duty to make sure that their child aged 5-16, if registered at a school, attends that school regularly. Taking an unauthorised term time holiday is grounds for issuing a penalty notice according to the local authority’s code, and if the leave of absence for holiday was not authorised by the school, either the school or the local authority may issue a penalty notice.

Can schools decide whether parents should be prosecuted or not?

No. Only local authorities can make decisions on whether parents should be prosecuted for school attendance offences. All schools (including academies) have a duty to refer regular absence (authorised and unauthorised) to the relevant local authority. This may include any evidence to show how they supported the pupil and parent to improve attendance. It is for each local authority to judge each referral on its own merits and make a decision on the next probable cause of action.

DFE’s guidance states that: (Repeated for you to retain on your section of the reply slip)

Can a school fine a parent for taking their child on holiday during term time?

Yes. Parents have a legal duty to make sure that their child aged 5-16, if registered at a school, attends that school regularly. If taking an unauthorised term time holiday is grounds for issuing a penalty notice according to the local authority’s code, and if the leave of absence for holiday was not authorised by the school, either the school or the local authority may issue a penalty notice.

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APPENDIX D: UNDERSTANDING TYPES OF ABSENCE

Every half-day absence from school must be classified by the school, either as authorised or unauthorised absence.

1 Authorised absences

Authorised absences are approved by a member of SLT.

'Exceptional circumstances' for which the College may grant a leave of absence include:	Circumstances under which absence will not be authorised include:
<ul style="list-style-type: none"> • Immediate family bereavement, crisis or serious illness • Funeral of immediate family member • Religious observance • One day's absence for the wedding of an immediate family member, where the invitation has been provided as evidence • One-off sporting events/performing arts competitions, if the Student is participating and is at County standard or above, and a letter has been provided from the performing arts/sports regional governing body as evidence • One day's absence for an immediate family member's graduation ceremony/passing out parade • Medical appointments (please arrange non-urgent medical appointments outside of school hours when possible.) If the medical appointment is during the school day, evidence must be provided. The College will not usually authorise a whole day's absence for a morning medical appointment – the child would be expected to return to school in the afternoon, and 	<ul style="list-style-type: none"> • Family holidays • Weddings abroad – regardless of whether it is for immediate family members • Family anniversaries • Caring for other family members • Birthdays • Interpreting for other family members • Lack of school uniform/shoes • Bullying • Friendship problems • Head lice • Learning difficulties • Death of a pet • Travel problems (Unless the fault of the LA) • School refusal, except where corroborated by appropriate health professional

2. Unauthorised absences

Unauthorised absences are those which the school does not consider reasonable and for which permission has not been given. This type of absence can lead to the Local Authority using sanctions and/or legal proceedings. If a student takes unauthorised term time leave for 6 consecutive sessions or 3 days or more over a 4-week period, then a penalty notice may be issued regardless of regular attendance figures.

3. Persistent Absenteeism (PA)

A pupil becomes a 'persistent absentee' (PA) when they miss 10% or more schooling across the year for whatever reason. This means that if a student's attendance drops to below 90% they are considered to be persistently absent. This figure is set by the Government and was updated in September 2015. A penalty notice may be issued in relation to any student whose attendance is less than 90% in any given period. Such a Fine is intended to offer a rapid intervention, which may be used to address non-school attendance before it becomes entrenched. Absence at this level causes considerable damage to a child's educational prospects. The school monitors all absence thoroughly. PA pupils are tracked through the pastoral system, combined with academic monitoring. All PA cases are made known to the Educational Welfare Officer and Local Authority Attendance Officer.

Pupils at risk may also be referred to the Attendance and Family Support Worker, who works with families to provide support and strategies to encourage attendance.

APPENDIX E: UNDERSTANDING REGISTRATION CODES

Absence and Attendance Codes

The national codes enable schools to record and monitor attendance and absence in a consistent way which complies with the regulations. They are also used for collecting statistics through the School Census System. The data helps schools, local authorities and the Government to gain a greater understanding of the level of, and the reasons for, absence. The following codes are used:

Codes: / \ L U indicate Present at School

Code / (am) and \ (pm) Present in school during registration:

Code L Late arrival before the register has closed:

Code U Arrival after register is closed

Schools should have a policy on how long registers should be kept open; this should be for a reasonable length of time but not that registers are to be kept open for the whole session.

Pupils must not be marked present if they are not in school during registration. If a pupil leaves the school premises after registration, they are still be counted as present for statistical purposes.

Codes B D J P V W indicate Present at an Approved Off-Site Educational Activity

Code B: Supervised educational activity such as a field trip, educational visit, work experience or alternative provision.

Pupils can only be recorded as receiving off-site educational activity if the activity meets the requirements prescribed in regulation 6(4) of the Education (Pupil Registration) (England) Regulations 2006. The activity must be of an educational nature approved by the school and supervised by someone authorised by the school. The activity must take place during the session for which the mark is recorded.

This code should be used when pupils are present at an off-site educational activity that has been approved by the school. Ultimately schools are responsible for the safeguarding and welfare of pupils educated off-site. Therefore, by using code B, schools are certifying that the education is supervised, and measures have been taken to safeguard pupils. This code should not be used for any unsupervised educational activity or where a pupil is at home doing school work. Schools should ensure that they have in place arrangements whereby the provider of the alternative activity notifies the school of any absences by individual pupils. The school should record the pupil's absence using the relevant absence code.

Code D: Dual Registered - at another educational establishment

Consortia Schools

Pupils attending consortia schools as part of their course only need to be placed on the register of their 'main' school rather than on all of the schools they attend. They should be treated as guest pupils at the other consortia schools. The consortia schools however, must ensure they have suitable systems in place for monitoring and reporting the attendance and absence of the pupils involved, which must be shared with the 'main' school. This code is not counted as a possible attendance in the School Census. The law allows for dual registration of pupils at more than one school. This code is used to indicate that the pupil was not expected to attend the session in question because they were scheduled to attend the other school at which they are registered. The main examples of dual registration are pupils who are attending a pupil referral unit, a hospital school or a special school on a temporary basis. It can also be used for Gypsy, Roma and Traveller children, but only when the pupil is known to be registered at another school during the session in question. Each school should only record the pupil's attendance and absence for those sessions that the pupil is scheduled to attend their school. Schools should ensure that they have in place arrangements whereby all unexplained and unexpected absence is followed up in a timely manner.

Code J: At an interview with prospective employers, or another educational establishment

This code should be used to record time spent in interviews with prospective employers or another educational establishment. Schools should be satisfied that the interview is linked to employment prospects, further education or transfer to another educational establishment.

Code P: Participating in a supervised sporting activity

This code should be used to record the sessions when a pupil is taking part in a sporting activity that has been approved by the school and supervised by someone authorised by the school.

Code V: Educational visit or trip

This code should be used for attendance at an organised trip or visit, including residential trips organised by the school, or attendance at a supervised trip of a strictly educational nature arranged by an organisation approved by the school.

Code W: Work experience

Work experience is for pupils in the final two years of compulsory education. Schools should ensure that they have in place arrangements whereby the work experience placement provider notifies the school of any absences by individual pupils. Any absence should be recorded using the relevant code.

Authorised Absence from School

'Authorised absence' means that the school has either given approval in advance for a pupil of compulsory school age to be away or has accepted an explanation offered afterwards as justification for absence.

Codes C E H I M R S T indicate pupil authorised absent from School:**Code C: Leave of absence authorised by the school**

Only exceptional circumstances warrant an authorised leave of absence. Schools should consider each request individually taking into account the circumstances, such as: the nature of the event for which leave is sought; the frequency of the request; whether the parent gave advance notice; and the pupil's attainment, attendance and ability to catch up on missed schooling.

Code E: Excluded but no alternative provision made

If no alternative provision is made for a pupil to continue their education whilst they are excluded but still on the admission register, they should be marked absent in the attendance register using Code E. Alternative provision must be arranged for each excluded pupil from the sixth day of any fixed period or permanent exclusion. Where alternative provision is made they should be marked using the appropriate attendance code.

Code G: Holiday / term time leave is not authorised**Code H: Holiday authorised by the school**

Heads of School should not grant leave of absence unless in exceptional circumstances. The application must be made in advance and the Headteacher must be satisfied that there are exceptional circumstances which warrant the leave. Where a leave of absence is granted, the Headteacher will determine the number of days a pupil can be away from school. A leave of absence is granted entirely at the Headteacher's discretion.

Code I: Illness (not medical or dental appointments)

Schools should advise parents to notify them on the first day the child is unable to attend due to illness. Schools should authorise absences due to illness unless they have genuine cause for concern about the legitimacy of an illness. If the authenticity of illness is in doubt, schools can request parents to provide medical evidence to support illness. Schools can record the absence as unauthorised if not satisfied of the authenticity of the illness but should advise parents of their intention. Schools are advised not to request medical evidence unnecessarily. Medical evidence can take the form of prescriptions, appointment cards, etc. rather than doctors' notes.

Code M: Medical or dental appointments

Missing registration for a medical or dental appointment is counted as an authorised absence. Schools should, however, encourage parents to make appointments out of school hours. Where this is not possible, the pupil should only be out of school for the minimum amount of time necessary for the

appointment.

Code R: Religious observance

Schools must treat absence as authorised when it is due to religious observance. The day must be exclusively set apart for religious observance by the religious body to which the parents belong. Where necessary, schools should seek advice from the parents' religious body about whether it has set the day apart for religious observance.

Code S: Study leave

Schools must record study leave as authorised absence. Study leave should be used sparingly and only granted to Year 11 pupils during public examinations. Provision should still be made available for those pupils who want to continue to come into school to revise.

Code T: Gypsy, Roma and Traveller absence

A number of different groups are covered by the generic term Traveller – Roma, English and Welsh Gypsies, Irish and Scottish Travellers, Showmen (fairground people) and Circus people, Bargees (occupational boat dwellers) and New Travellers.

This code should be used when Traveller families are known to be travelling for occupational purposes and have agreed this with the school, but it is not known whether the pupil is attending educational provision. It should not be used for any other types of absence by these groups.

To help ensure continuity of education for Traveller children it is expected that the child should attend school elsewhere when their family is travelling and be dual registered at that school and the main school. Children from these groups whose families do not travel are expected to register at a school and attend as normal. They are subject to the same rules as other children in terms of the requirement to attend school regularly once registered at school.

Unauthorised Absence from School: Codes G N O U

Unauthorised absence is where a school is not satisfied with the reasons given for the absence.

Absence codes are as follows:

Code G: Holiday not authorised by the school or in excess of the period determined by the head teacher.

If a school does not authorise a leave of absence for the purpose of a holiday but the parents still take the child out of school, or the child is kept away for longer than was agreed, the absence is unauthorised. The regulations do not allow schools to give retrospective approval. If the parents did not apply for leave of absence in advance, the absence must be recorded as unauthorised.

Code N: Reason for absence not yet provided

Schools should follow up all unexplained and unexpected absences in a timely manner. Every effort should be made to establish the reason for a pupil's absence. When the reason for the pupil's absence has been established the register should be amended. This code should not be left on a pupil's attendance record indefinitely; if no reason for absence is provided after a reasonable amount of time it should be replaced with code O (absent from school without authorisation).

Code O: Absent from school without authorisation

If the school is not satisfied with the reason given for absence they should record it as unauthorised.

Code U: Arrived in school after registration closed

Schools should actively discourage late arrival, be alert to patterns of late arrival and seek an explanation from the parent.

Administrative Codes

The following codes are not counted as a possible attendance in the School Census:

Code X: Not required to be in school

This code is used to record sessions that non-compulsory school age children are not expected to attend.

Code Y: Unable to attend due to exceptional circumstances

This code can be used where a pupil is unable to attend because:

- The school site, or part of it, is closed due to an unavoidable cause; or
- The transport provided by the school or a local authority is not available and where the pupil's home is not within walking distance; or
- A local or national emergency has resulted in widespread disruption to travel which has prevented the pupil from attending school.
- This code can also be used where a pupil is unable to attend because:
 - The pupil is in custody; detained for a period of less than four months. If the school has evidence from the place of custody that the pupil is attending educational activities then they can record those sessions as code B (present at approved educational activity).

This code is collected in the School Census for statistical purposes.

Code Z: Pupil not on admission register

This code is available to enable schools to set up registers in advance of pupils joining the school to ease administration burdens. Schools must put pupils on the admission register from the first day that the school has agreed, or been notified, that the pupil will attend the school.

Code #: Planned whole or partial school closure

This code should be used for whole or partial school closures that are known or planned in advance such as: between terms; half terms; occasional days (for example, bank holidays); weekends (where it is required by the management information system); up to five non-educational days to be used for curriculum planning/training; and use of schools as polling.

APPENDIX F: PENALTY NOTICES NON-SCHOOL ATTENDANCE

CAMBRIDGESHIRE COUNTY COUNCIL

LOCAL AUTHORITY CODE OF CONDUCT

(Amended Aug 2017)

Introduction

1. Under Section 23 of the Anti-Social Behaviour Act 2003 local education authority officers, headteachers and the police have the discretionary power to issue Penalty Notices in cases of unauthorised absence from school.
2. The new power provides an alternative to prosecution of parents under Section 444 of the Education Act 1996 and enables parents to discharge potential liability for conviction for that offence by paying a penalty of £60 if paid within 21 days or £120 if paid within 28 days.
3. Should the Penalty Notice remain unpaid or have been paid only in part at the end of the 28 day period Cambridgeshire County Council must prosecute the parents for the offence to which the notice relates, or, in specified circumstances (see section 29 below), withdraw the notice.
4. Penalty Notices may only be issued in Cambridgeshire in accordance with the terms of this Code of Conduct. The purpose of the Code of Conduct is to ensure that the power is applied fairly and consistently across the County Council and that suitable arrangements are in place for the effective and efficient administration of the scheme.
5. In implementing this Code of Conduct the County Council will liaise when appropriate with neighbouring education and police authorities.
6. This Code of Conduct has been drafted in accordance with the Education (Penalty Notices) (England) Regulations 2004: Statutory Instrument 2004 No 181 and guidance issued by the Department for Education and Skills.
7. In preparing this Code of Conduct the County Council has consulted with Cambridgeshire headteachers and the Chief Officer of Cambridgeshire Constabulary. This complies with The Education (Penalty Notices) (England) Regulations 2007.

Circumstances in which Penalty Notices may be issued

8. Penalty Notice may be considered as an alternative to prosecution for failure to ensure regular school attendance in any given period of unauthorised school attendance as below:

- A. UNAUTHORISED ABSENCE:** As the Government changed the PA (Persistent Absence) threshold to 90% (in effect from Sept. 2015), the Local Authority may issue a Penalty Notice in relation to a child whose attendance at school is less than 90% over a given period. To allow time and opportunity for early intervention work with the family, attendance will be monitored by school and Local Authority before enforcement actions are considered. Such a Fine is intended to offer a rapid intervention, which may be used to address non-school attendance before it becomes entrenched, following guidance in section 13.
- B. UNAUTHORISED TERM TIME LEAVE(includes Holiday):** Any parent who takes a child out of school for term time leave for 6 consecutive sessions (3 days) or more over a 4 week period, not authorised by the school (under exceptional circumstances rule), may receive a Penalty Notice. **Therefore Penalty Notices will be issued for single event absences of at least 3 consecutive school days or more where these absences are unauthorised because they are neither exceptional nor unavoidable. The absences must be recorded with a 'G' code in the attendance register.** Such cases will have to be supported by evidence of parents being warned about a potential Penalty Notice. *(The Supreme Court Judgement in the case between Isle of Wight Council v Platt (6th April 2017) clarified the meaning of regular school attendance in relation to Section 444 Education Act 1996. To attend school "regularly" means "in accordance with the rules prescribed by the school".)*

Procedural guidelines

9. The key consideration in deciding whether to issue a Penalty Notice should be whether it is considered likely to be effective in helping the child to whom it relates to return to regular attendance.
10. Before issuing a Penalty Notice for unauthorised absence (refer to section 8A), due consideration should be given to other strategies which may help return the child concerned to regular school attendance. Such strategies might include:
- writing to the child's parents to remind them of their legal responsibilities;
 - meeting with the child's parents;
 - ensuring a first-day response to any absence;
 - setting targets for improvement;
 - referral to the Education Welfare Officer or Local Authority Attendance Officer;
 - involvement of other services/agencies.

NB. Above strategies do not apply to term time leave / holiday. (refer to section 8B)

11. It is expected that schools will communicate with parents and issue a warning about potential Penalty Notice fine being issued for unauthorised absences. This warning can be in the form of communication sent to parents via school Newsletters, School Web page as well as any direct mail sent to individual parents
12. Head teachers and police officers should only issue a Penalty Notice following consultation, discussion, reflection and joint decision with the County Council Attendance team.
13. The Local Authority Attendance Officer will not agree to sanction the issuing of a Penalty Notice unless he/she considers that with regard to the offence to which it relates there is sufficient evidence to secure a conviction under Section 444 of the Education Act 1996. Evidence could be letters sent to parent, minutes of meetings and record of telephone conversations.

14. A maximum of three Penalty Notices may be served on any one parent over a 12-month period.
15. **There is no statutory right of appeal against the issuing of a Penalty Notice.** A parent should therefore, if possible, be given warning of the possibility of a notice being issued (refer section 13) in order to allow him/her to make representations should he/she wish to do so. If a head teacher refuses to authorise any absence or requests for holidays during term time and parents are not happy with the decision, they should make representations to the Governing Body of the school. They should not wait and make a representation to the County Council once a Penalty Notice has been issued.

Authority to Issue a Penalty Notice

16. A Local Authority Attendance Team / CCC Legal Panel may issue a Penalty Notice to the parent of a child who is a registered pupil at a school in Cambridgeshire or who is a registered pupil at a school in an authority, which has an agreement to that effect with Cambridgeshire County Council.
17. A headteacher or an authorised deputy or assistant headteacher may issue a Penalty Notice to the parent of a child who is registered at his/her school, in consultation with a CCC Legal Panel.
18. A police officer, including a community support officer or other accredited person, may issue a Penalty Notice.
19. Head teachers and Police Officers should comply with the terms of this Code of Conduct when issuing a Penalty Notice and should provide a copy of any notice issued to the relevant Local Authority Attendance Officer.

Form and Content of Penalty Notices

20. A Penalty Notice should give the following particulars alleged to constitute the offence to which the notice relates and should contain:
 - a) the name and address of the person to whom the notice is issued;
 - b) the name and address of the child who is failing to attend school regularly and the name of the school at which he/she is a registered pupil;
 - c) the name, title and official details of the authorised person issuing the notice;
 - d) the date of the offence and of the issue of the notice;
 - e) the amount of the penalty which is to be paid and details of the timescales and any variation involved;
 - f) the address of the County Council office at which the penalty is to be paid and to which any correspondence relating to the notice may be sent;
 - g) the method/methods by which payment may be made;
 - h) the specified period within which the penalty should be paid;
 - i) a statement that full payment within the specified period will discharge any liability for the offence;
 - j) an explanation of the consequences should the penalty not be paid in full before the expiry of the specified period;
 - k) an explanation of the grounds on which the notice may be withdrawn.
21. Should there be more than one person liable for the offence (Section 576 Education Act 1996) a separate notice should be issued to each person, per each child.

22. Should the offence involve more than one child a separate notice should be issued for each child, per each parent.

Service of Penalty Notices

23. A Penalty Notice may be served by:
- a) giving it to the recipient; or
 - b) leaving it at the recipient's usual or last-known address; or
 - c) sending it to the recipient at that address by first-class post.
24. Service by post is deemed to have been effected, unless the contrary is proved, on the second working day after posting the notice by first-class post.

Methods of Payment

25. The preferred method of payment of a Penalty Notice would be on-line payment via the Cambridgeshire County Council website. However, alternative methods are available on request. Late or part payments (including instalments) will not be accepted and no reminders will be sent.

Failure to Pay a Penalty Notice

26. Should the recipient of a Penalty Notice fail to pay the full amount before the expiry of the period for paying it the County Council will either begin proceedings against the parent under Section 444 of the Education Act 1996 or withdraw the notice in accordance with specified conditions (see section 29 below).
27. An electronic record will be retained to monitor that the recipient of a Penalty Notice has or has not paid the amount due on or before the date specified and presented as evidence in any subsequent Section 444 Education Act 1996 proceedings.

Withdrawal of a Penalty Notice

28. A Penalty Notice may be withdrawn by the County Council, regardless of whom within the authority issued it, if it is deemed that:
- a) the notice ought not to have been issued (i.e. where it has issued outside of the terms of this Code of Conduct or where no offence has been committed); or
 - b) the notice ought not to have been issued to the person named as the recipient.
29. Should a Penalty Notice be withdrawn:
- a) notice of the withdrawal should be given to the recipient;
 - b) any amount already paid by the recipient should be reimbursed;
 - c) any proceedings under Section 444 of the Education Act 1996 instituted against the recipient should be discontinued.

Retention of Receipts and Revenue Collection

30. The County Council will retain all revenue from the issuing of Penalty Notices in order to cover the costs of issuing and enforcing notices and the cost of prosecuting those recipients of the notices who fail to pay.
31. The County Council will produce an annual audit statement as part of its usual audit procedures in order to show that income received from Penalty Notices does not exceed enforcement costs as defined above. Any surplus acquired will be surrendered to a consolidated fund.