

WILLOW LANE COMMUNITY PRIMARY SCHOOL  
ATTENDANCE POLICY



Mission Statement

The children are at the heart of everything we do at Willow Lane Community Primary School and they are happy, creative and achieving well academically. They are encouraged to learn to the best of their abilities and we also want them to have fun along the way – to understand nature by growing vegetables and exploring the wildlife area, to develop confidence through drama and singing, to nurture independence through problem-solving and to develop positive human values by caring for each other and making links in the local community which we are proud to serve. We know that children learn – academically, socially and morally – when they are emotionally engaged and that is why we 'teach to the heart'.

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Written by:	Kirsty Banks
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## **Willow Lane Community Primary School 2022 School Attendance Policy**

Good attendance is essential to pupil achievement. At Willow Lane school we want all pupils to take full advantage of school and to gain the appropriate skills, which will equip them for life.

The attendance policy is based on the premise of equal opportunities for all.

### **Aims**

- To improve the quality of school life
- To create a culture in which good attendance is “normality”
- To demonstrate to pupils, parents and staff that good attendance is valued by the school
- To recognise that good regular attendance is an achievement within itself.
- To be consistent in implementation both terms of rewards and sanction.
- To value the individual.
- To have a positive and consistent communication between home and school.

### **Core statement on Attendance**

Good attendance is essential (96% or more), if standards of pupil achievement are to raise enabling pupils to take full advantage of school and gain the appropriate skills, which will equip them for life.

The school aims to achieve good attendance by operating an attendance policy within which staff, pupils, parents, local community and the PAST can work in partnership.

The school will monitor attendance and ensure quick and early intervention if a problem is identified.

All staff will encourage good attendance and liaise with home and other agencies when this is appropriate.

Good attendance will be seen as an achievement in its own right and will be recognised as such by the school.

The attendance policy is based on the premise of equal opportunities for all.

For our children to gain the greatest benefit from their education it is vital that they attend regularly and your child should be at school, on time, every day the school is open unless the reason for the absence is unavoidable.

It is very important therefore that you make sure that your child attends regularly and this Policy sets out how together we will achieve this.

## **School attendance contacts**

**Vicky Jameson**, Clerical Assistant is the contact for parents to notify school of a pupil's absence.

**Kirsty Banks**, Pastoral Manager: senior leader responsible for the strategic approach to attendance in school. Also contact for day to day enquiries about attendance and specific and more serious attendance concerns.

## **Why Regular Attendance is so important:**

Any absence affects the pattern of a child's schooling and regular absence will seriously affect their learning. Any pupil's absence disrupts teaching routines so may affect the learning of others in the same class.

Ensuring your child's regular attendance at school is your legal responsibility and permitting absence from school without a good reason creates an offence in law and may result in prosecution.

## **Attendance registration**

The school gates open at 8:40am. Morning registration is from 8:45am until 8.55am. Gates close at 8.55am. Afternoon registration is between 1.00pm and 1.05pm.

The school day starts at 8.45am. Pupils are expected to be on the premises at that time and that is when the registration period starts (i.e. when the register is taken and remains open).

When the attendance register has been taken it remains open until 9.25am in the morning and 1.30pm in the afternoon.

School finishes at 3.15pm.

## **ABSENCE PROCEDURES**

### Parent/carers responsibilities

Parents/Carers must contact the school on the first day of absence either by phone or you can call into the school and report to reception. This is for the children's welfare and safety, that we know that if the child is not in school, that they are safe at home. Also, it is an offence if a child is off school without sufficient reason. If parents and carers need someone to talk to about any problems they may be having getting their children to school, they can contact The School Attendance Lead– Kirsty Banks - for a conversation.

### **Late arrival**

Pupils who arrive after 8.55am (or 1.05pm) must go straight to the school office at the main entrance to sign in and give a reason for their lateness.

Pupils who arrive after the register has been taken (8.55am or 1.05pm) but before it is closed (9.25am or 1.30pm), will be marked as code L. This is classed as late but present for the session (ie the morning or afternoon).

Pupils who arrive after the register has closed and without a valid reason for being late (such as attending a dental or medical appointment) will be marked as code U, which is classed as an unauthorised absence but indicates that the pupil was physically present in school for part of the session.

## **Punctuality**

Poor punctuality is not acceptable. If your child misses the start of the day they can miss work and do not spend time with their class teacher getting vital information and news for the day. Late arriving pupils also disrupt lessons, which can be embarrassing for the child and can in turn, encourage absence. Being 10 minutes late every day throughout the academic year is the same as missing two weeks of school.

If your child is often late you will be asked to meet with the Pastoral Manager to discuss ways to improve punctuality, but you can approach us at any time if you are having problems getting your child to school on time.

## **Procedures when a pupil not arrived at school**

When children have not arrived at school by 9.20am and their parent/carer have not contacted the school with a reason for a pupil's absence, school will ring the pupil's contacts, in the order given for emergency contacts, until we get a response and reason for absence. If we are unable to speak to any of the pupil emergency contacts, school will undertake a home visit. To ensure children are safeguarded, the school asks for at least two telephone contacts per child.

## **Absent due to illness:**

Willow Lane Community Primary school follows the 'Guidance on infection control in schools and other settings' directed from the Health Protection Agency. These guidelines recommend the period of time a child should be kept away from school. In certain situations school will advise parent/carers when their child can be brought back to school as there may have been a period of infection and risk to other pupils.

## **Understanding types of absence:**

Every half-day absence from school is classified by the school as either authorised or unauthorised. This is why information about the cause of any absence is always required from parents/carers. As a school, we will always work with parents (and other agencies, as appropriate) to understand the reasons underlying absence.

### **Authorised absences**

Authorised absences are mornings or afternoons away from school for a good reason like illness, medical/dental appointments which unavoidably fall in school time, emergencies or other unavoidable cause.

## Unauthorised absences

Unauthorised absences are those which the school does not consider reasonable and for which no 'leave' has been given. This type of absence can lead to the Authority using sanctions and/or legal proceedings. This includes:

- Parents/carers keeping children off school unnecessarily
- truancy before or during the school day
- absences which have never been properly explained
- shopping, looking after other children or birthdays
- day trips and holidays in term time which have not been agreed
- whole day off school for a GP/dentist check-up.
- holidays that exceed the amount agreed by the Headteacher

Parents should be aware that the decision whether to authorise an absence or not rests with the school. Hence, if there is any ambiguity relating to an absence, school may request further evidence from parents before an absence may be authorised. This may be in the form of a prescription or appointment card or similar.

Whilst any child may be off school because they are ill, sometimes they can be reluctant to attend school. Any problems with regular attendance are best sorted out between the school, the parents and the child. If your child is reluctant to attend, it is never better to cover up their absence or to give in to pressure to excuse them from attending. This gives the impression that attendance does not matter and usually make things worse.

## **Persistent Absenteeism (PA):**

A pupil becomes a 'persistent absentee' when they miss 10% (below 90%) or more schooling across the school year for whatever reason. Absence at this level is doing considerable damage to any child's educational prospects and we need parents' fullest support and co-operation to address this.

We monitor all absence thoroughly. Any case that is seen to have reached the PA mark or is at risk of moving towards that mark is given priority and you will be informed of this immediately.

PA pupils are tracked and monitored carefully through our pastoral system and we also combine this with academic mentoring where absence affects attainment.

All our PA pupils and their parents are subject to an Action Plan and the plan may include: allocation of additional support including individual incentive programmes, attendance agreements, attendance panel contracts and participation in group activities around raising attendance.

## **Attendance concerns**

Parents are expected to contact school at an early stage and to work with us in resolving any attendance problems together; this is nearly always successful. However, if concerns persist, school will use the following procedures and interventions, as required, to support parents in improving their child's attendance and/or punctuality:

- Telephone calls and/or letters to make parents aware of school's concern about their child's attendance.
- Invitation to meetings to discuss concerns with our attendance lead and/or head teacher.
- Parenting contracts to identify barriers to regular attendance, ways to overcome these and agree targets for improvement.
- Incentive and reward schemes for individual pupils, if appropriate.
- The Early Help Assessment (EHA) process and/or referral to other agencies and services, including School Nurses and Primary Mental Health Workers, if appropriate.
- Request support from the local authority Pupil Attendance Support Team.
- For unauthorised absences, request legal interventions by the local authority, such as penalty notices, prosecution or other attendance-related court orders.

At any stage, we may seek advice from our School Attendance Consultant.

### **Pupils with medical needs who have difficulty attending school**

Government guidance on supporting pupils at school with medical conditions (see appendix) emphasises the role of governing bodies in ensuring that pupils with medical conditions are able to fully access education in the same way as other pupils. A key element of this responsibility is reducing the amount of time missed by these pupils, whether their condition is short or long term.

School will work with parents and other relevant professionals to minimise absence for reasons of ill health. This may be in the form of specific support or resources used within school or by sourcing appropriate provision at another establishment. When education is to be provided at an alternative location, this should always be done via the use of a direction (please see section 6, below).

When a pupil has been absent from school for an extended period, the Pastoral Manager, Headteacher, the class teacher and other support services will work with the family to ensure that a smooth reintegration is achieved.

### **Pupils refusing to attend school**

At Willow Lane CP School, we believe that every child has a right to a full-time education, and we would not accept "school refusal" as a reason for non-attendance. In such cases, we will work with parents to identify the reasons why a child may be reluctant to attend school. We may request support from the Pupil Attendance Support Team and, with consent, make referrals to external partners such as the Children and Family Wellbeing Service, Primary Mental Health Workers, etc, as appropriate to try to ensure the correct support is secured for the child and their family.

### **Promotion of good attendance**

School will promote and incentivise attendance by acknowledging and rewarding good attendance by all pupils and efforts to improve attendance by individual pupils who have additional needs or challenging circumstances.

## **Lancashire County Council (the local authority)**

### **School Attendance Consultants (SACs)**

SACs are schools' first point of contact for attendance advice regarding individual pupils and the whole school.

### **Pupil Attendance Support Team (PAST)**

If difficulties cannot be sorted out using in-school strategies, the school may refer the child to the Pupil Attendance Support Team (PAST) from the Local Authority. They will also try to resolve the situation by agreement but, if other ways of trying to improve the child's attendance have failed, and unauthorised absences persist, these Officers work closely with school and support school with sanctions such as Penalty Notices or prosecutions in the Magistrates Court. Full details of the options open to enforce attendance at school are available from the school or the Local Authority.

### **School Attendance Legal Team (SALT)**

Following requests from schools for legal interventions in the event of failure to attend school regularly, SALT undertakes enforcement processes, including penalty notices, prosecutions, parenting orders, education supervision orders and school attendance orders.

### **Leave during term time**

By law, maintained schools cannot authorise any leave in term time other than in exceptional circumstances. Taking a child out of school in term time will affect their education and progress as much as any other absence. If leave is being requested for a holiday or extended leave abroad, a leave of approval should be obtained from the head teacher before making any bookings.

### **Leave of absence in term time will not be granted unless:**

- 'leave of absence request form' has been made in advance by a parent with whom the pupil normally resides (using the form available on the school website or from the school office), and
- The head teacher considers that leave of absence should be granted due to the exceptional circumstances relating to the request.

Due to the need to evidence exceptional circumstances, parents are advised to provide school with any relevant information regarding their request at the point of application if they believe the circumstances are exceptional.

In considering the request school will also consider other factors such as:

- The timing of the requested leave, e.g. when a pupil is just starting at school or during assessment periods, such as SATs.
- A pupil's attendance record already includes unauthorised absence.
- Attendance is already a concern, or could become a concern, as a result of taking leave.
- Other periods of leave which the pupil may have had, either during the current or previous academic year.

Any period of leave taken without the agreement of the school, or in excess of that agreed, will be classed as unauthorised and may attract legal sanctions such as a penalty notice.

If a child still goes on holiday when the application has been declined the child's reason for being off will be marked as an (G) which is an unauthorised absence. If the holiday is 5 days or more parents/carers will be issued with a penalty notice (a fine of £120 per parent per child if paid within 28 days or £60 per parent per child if paid within 21 days) from the Local Authority. All penalty payments are made to the Local Authority.

If a holiday of less than 5 days is taken (even in exceptional circumstances) and the pupil's attendance goes below 90%, procedures will be followed with regard to low attendance/persistent absence.

### **Religious absence**

School will authorise one day of absence per religious festival, e.g. Eid, and this will be marked as code R in the register. The day authorised will be that set aside by the religious body of which the parent is a member.

Parents must request any additional leave in advance and this can only be authorised if the head teacher agrees that exceptional circumstances apply; this would be marked in the register as code C.

### **Participation in sporting events**

Parents can request leave of absence for their child to take part in regional, national and international sporting events. However, as always, granting leave is at the head teacher's discretion and she/he will need to discuss with you the length and frequency of the absence(s) requested and how learning will continue if absence occurs, e.g. the sports club or association providing an approved education tutor.

Leave for a sporting activity that has been approved by the school and supervised by someone authorised by the school can be marked in the register as code P.

Permission for your child to leave early or arrive late in order to attend coaching and training sessions is also at the discretion of the head teacher and is unlikely to be approved if it would occur regularly.



## **Participation in performances (e.g. theatre, television, modelling)**

Parents of a child performer can request leave from school for their child to take part in a performance. A local authority licence must be obtained before a child can take part in a performance. Before a licence is granted, school will be consulted and head teachers must be satisfied that the leave will not have a negative effect on the child's education.

Where the licence specifies the dates that the child is to be away from school, the head teacher should authorise those days. However, where the licence does not specify dates, it is at the discretion of the head teacher to authorise the leave request.

Any absence authorised for the child to take part in a performance will be recorded as code C.

Parents wishing to apply for a performance licence should go to the Lancashire County Council [Child performance licences webpage](#).

## **Pupils leaving/moving school**

If a member of staff hears from a child/parent/carer that a child plans to leave the school, the School needs to be informed. If the information is given directly by the parent/carer, the member of staff who took the information needs to ask them to arrange an appointment with the Headteacher. This information will be recorded in the School Leavers File and will be updated when the child leaves.

## **Notifications school must submit to the local authority**

### **Admissions**

All schools must notify the local authority within five days of adding a pupil's name to the admission register and must provide the local authority with all the information held within the admission register about the pupil. This duty does not apply to pupils who are added to the admission register at the start of the school's youngest year unless the local authority also requests for such information to be provided (currently Lancashire does not).

### **Leavers**

All schools must notify the local authority when a pupil's name is to be deleted from the admission register under any of the grounds prescribed in regulation 8 of the Education (Pupil Registration) (England) Regulations 2006, as soon as the ground for removal is met and no later than the time at which the pupil's name is removed from the register. This duty does not apply where the pupil's name is removed after they have completed the school's final year, unless the local authority requests for such information to be provided (Lancashire currently does not).

Where a school notifies a local authority that a pupil's name is to be deleted from the admission register, the school must provide the local authority with the required information as laid out in regulation.

In addition to submitting a notification about removal from roll, some circumstances also require school to make referral to other local authority teams such as the Elective Home Education team or the Children Missing Education team. Schools may also contact their School Attendance Consultant for advice on removing children from roll.

### **Pupils who fail to attend**

All schools (including academies) must inform the local authority of any pupil who fails to attend school regularly or has been absent without the school's permission for a continuous period of 10 days or more. In Lancashire primary schools, this can be done via a variety of means and school can contact their School Attendance Consultant for further advice.

### **Children missing Education (CME)**

The Children Missing Education Team ensure the Local Authority fulfils its statutory duty under Education Act 1996/ Education & Inspections Act 2006 to make arrangements to enable them to identify children and young people in their area who are not registered pupils at a school, and are not receiving suitable education otherwise than at a school.

This is via notification to the team from schools, other agencies and members of the public of children who are, or who are at risk of becoming Children Missing Education.

A child missing education is defined as a child of compulsory school age who is not on a school roll and not receiving an education via other means – for example, via Elective Home Education or an alternative provider such as a college.

This includes but is not limited to situations where:

- A child/young person is on roll but has been excluded and no alternative provision is in place after 6 days
- A child/young person has not been attending school and a home visit reveals that the family may have moved away
- A child/young person has moved into the area but no arrangements have been made to access a new school
- A child/young person has moved out of the area (this includes moving outside of the UK) or is about to move out of the area but no arrangements have been made to access a new school
- A child/young person who has been offered a school place, but parents have refused the place offered and the authority is not aware of alternative arrangements for the child/young person's education

However, a child may still be at risk of missing education or missing out on education even if they are on a school roll and such cases should also be reported to the Local Authority.

Willow Lane's procedures are as follows:

- We will undertake enquiries to try to ascertain the whereabouts of pupils prior to making a CME referral. (above procedures about contacting parents/carers).
- We will notify CME of children whose whereabouts are unknown or who have moved out of the area and no new school has been arranged.
- We endeavour to provide as much information as possible on the referral form to assist with CME enquiries.
- In addition to a CME referral school would also make referrals in line with appropriate safeguarding procedures where there are other safeguarding concerns including radicalisation, forced marriage, female genital mutilation, child sexual exploitation.
- If the school become aware of any further information that would impact on the case, after they have notified CME, we would update the CME Officer. If the case has not yet been allocated we would inform the team using the [cme@lancashire.gov.uk](mailto:cme@lancashire.gov.uk) email.

If a child leaves school and parents/carers have not informed school of the new school their child/children will be attending the School attendance Coordinator will have to inform the Children Missing Education team (CME)

If a child misses education on repeat occasions, school needs to assess the risks.

(Please refer to Dfe children Missing Education statutory guidance for local authorities September 2016)

### **Medical Appointments**

Parents/Carers are asked where possible to make appointments after school hours. If they need to be made in school time, where possible, they should be made later in the school day.

### **Penalty Notices**

In accordance with the Lancashire code of conduct, we may request that the local authority issue penalty notices for unauthorised absence. (The Governors have agreed to this procedure if a family has poor attendance).

This includes:

- Leave of absence which is taken without a prior request being made.
- Leave taken after a request has been declined.
- Days taken in excess of an agreed period of leave, without good reason.
- Other unauthorised absence that meets the required threshold, including sessions marked as late after the register has closed (code U).

The code of conduct for penalty notices and information and FAQs for parents can be found on the Lancashire County Council [education penalty notice webpage](#).

Also parents/carers can be fined if they take a Leave of Absence in term time that has been unauthorised and is 5 days (10 sessions) or more.

### **Telephone numbers:**

There are times when we need to contact parents about lots of things, including absence, so we need to have your contact numbers at all times. So help school to help you and your child by making sure we always have an up to date number – if we don't then something important may be missed. There will be regular checks on telephone numbers throughout the year.

## **RIGHTS AND RESPONSIBILITIES**

### **Parents/carers**

- Parents must also ensure that school has up-to-date contact information for themselves and emergency contacts.
- Parents and pupils should know the times the school day starts and finishes and when the register closes
- Ensure children attend regularly
- Contact expected on first day of absence. If your child is going to be absent, parents must inform school as soon as possible and at the latest by 9.00 am on the first day of absence on 01524 65880.
- Expected contact frequently for continued absence
- Avoid holidays in term time where ever possible
- If holidays are permitted, need to fill in leave of absence request form.
- Early contact with school where parents become aware of problems with attendance.
- Attendance at meetings if concerns are identified.
- Supporting school in agreed interventions/action plans.
- Ensure that school has up-to-date contact information for themselves and emergency contacts.

### **Pupils**

- Acknowledge behaviour needed out of school e.g. early bedtimes to allow punctual attendance.
- Attend school/registration punctually.
- Adhere to appropriate systems for late registration.

### **Head Teacher**

- Lead on giving attendance a high profile.
- Ensure there is designated staff with day-to-day responsibility for attendance matters and protected time allocated to discharge those responsibilities.
- Take overall responsibility for ensuring the school conforms to statutory requirements regarding attendance.
- Consider each request for leave against the school's criteria, decide whether some, all, or none of the leave will be authorised and notify parents of this decision.

- Where there is uncertainty regarding an absence, make the decision whether or not to authorise an absence, or to request further evidence to support the decision-making process.
- Provide regular reports to the governing body on school attendance, including persistent absence and vulnerable groups.

### **All school staff**

- Teachers to adhere to county procedures when marking registers in the morning and afternoon.
- All staff will provide a welcoming atmosphere for children and a safe learning environment.
- Provide a listening ear to children who may need to talk about their concerns. Be aware of factors that can contribute to poor attendance and punctuality.
- To be aware of factors that can contribute to non-attendance.
- Have an important role to play in ensuring attendance is seen as important for all pupils.
- To participate in training regarding school systems and procedures.
- To work closely with families
- Discuss attendance concerns at an early stage with children and parents/carers.
- To raise any concerns about attendance with the attendance lead and/or headteacher.

### **Attendance Lead/Clerical**

- Regularly monitor and analyse data to identify pupil, class and whole school attendance concerns and to target attendance improvement support for those who need it most, particularly vulnerable groups.
- Update attendance registers
- First day response: To contact parents/carers of children not in school and no contact has been made to inform school as to why they are off. If contact made with home this information is recorded in the registers. Contact emergency contacts if parents cannot be reached.
- To send letters home if concerns over attendance (including below 90%), lateness, off for various medical reasons, unauthorised absences.
- Work with children and parents to remove barriers to regular and punctual attendance, using parenting contracts where appropriate.
- Where there are concerns to refer to PAST and/or complete a Young Family's Early Help assessment.
- To have whole school initiative to encourage good attendance.
- To meet with parents/carers regarding Leave of Absence requests. The Headteacher will authorise/unauthorise the request.
- To monitor and be informed of pupils leaving school
- To monitor missing pupils and inform the appropriate agencies
- To work closely with outside agencies and attend meetings with outside agencies.
- To improve attendance and punctuality for groups, classes or the whole school
- To work closely with all staff.

## **Governors**

- Ensure compliance with The Education (Pupil Registration) (England) Regulations 2006, as amended.
- Agree an attendance policy and review it annually.
- Agree targets for attendance at Willow Lane CP School.
- Where the school is not meeting its attendance targets, or when the governors believe there is cause for concern, instigate a review of school's attendance procedures.
- Authorise the head teacher (or other designated person) to make decisions regarding leave of absence requests.
- Work with the head teacher in establishing equitable and consistent criteria against which leave requests will be considered.

Schools are bound by a range of attendance legislation and guidance.

## **Lancashire County Council (the local authority)**

### **School Attendance Consultants (SACs)**

SACs are schools' first point of contact for attendance advice regarding individual pupils and the whole school.

### **Pupil Attendance Support Team (PAST)**

Pupil Attendance Support Workers undertake direct work with primary pupils and parents/carers, support attendance projects in school, and can provide supplementary evidence for legal interventions initiated by school.

### **School Attendance Legal Team (SALT)**

Following requests from schools for legal interventions in the event of failure to attend school regularly, SALT undertakes enforcement processes, including penalty notices, prosecutions, parenting orders, education supervision orders and school attendance orders.

### **Children Missing Education (CME) Team**

The CME team ensures the local authority fulfils its statutory duty to identify children in their area who are not registered pupils at a school and are not receiving suitable education otherwise than at a school. For further information see section 7, below, regarding notifications schools must submit.

## **School targets, projects and special initiatives:**

The school has targets to improve attendance and your child has an important part to play in meeting these targets.

The minimum level of attendance for this school is 96% attendance and we will keep you updated regularly about progress to this level and how your child's attendance compares. Our target is to achieve better than this however because we know that

good attendance is the key to successful schooling and we believe our pupils can be amongst the best in the area.

Through the school year we monitor absences and punctuality to show us where improvements need to be made. Information on any projects or initiatives that will focus on these areas will be provided in newsletter and we ask for your full support.

#### Summary:

The school has a legal duty to publish its absence figures to parents and to promote attendance. Equally, parents have a duty to make sure that their children attend.

All school staff are committed to working with parents and pupils, as this is the best way to ensure as high a level of attendance as possible.

## **Appendix: School attendance and the law**

There are many pieces of legislation and government regulations and guidance that are relevant to school attendance and to children and their parents and carers. The list below relates to this attendance policy but is not exhaustive.

### **Parents and carers**

#### **Duty to ensure children receive education**

[Section 7 of the Education Act 1996](#) covers the duty of parents to secure the education of children in their care who are of compulsory school age and states:

*The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable—*

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

#### **Offence if a child does not attend regularly**

Under [Section 444 of the Education Act 1996](#), if a child of compulsory school age who is a registered pupil at a school fails to attend regularly, their parent is guilty of an offence.

The offence is absolute as the only defences available to the parent are those statutory defences listed within that section of the Act, ie:

- the child was absent with leave granted by the school;
- the child was prevented from attending by reason of sickness or any unavoidable cause;
- absence was on a day exclusively set apart for religious observance by the religious body to which their parent belongs;
- that the school is not within statutory walking distance and that the local education authority has made no suitable transport arrangements or enabled the pupil to become registered at an alternative nearer school.

#### **Compulsory school age**

[Section 8 of the Education Act 1996](#) establishes that a child becomes of compulsory school age on the start date of the term following her/his fifth birthday, or that day if her/his fifth birthday falls on the day term starts.

A child ceases to be of compulsory school age on the last Friday in June in the academic year in which he/she reaches the age of 16 or if he/she reaches 16 after the last Friday in June but before the start of the new school year.

#### **Legal definition of "parent" in relation to attendance**



The law requires that all “parents” are held responsible for their child’s attendance. This definition can include any person who has care of the child. [Section 576 of the Education Act 1996](#) states:

*Meaning of “parent”.*

*(1) In this Act, unless the context otherwise requires, “parent”, in relation to a child or young person, includes any person—*

- (a) who is not a parent of his but who has parental responsibility for him, or*
- (b) who has care of him.*

Thus, the definition of “parent” means all natural parents, whether they are married or not, and includes any person who, although not a natural parent, has parental responsibility and/or care for a child or young person.

## **Schools**

### **Attendance and absence registration codes**

[Working together to improve school attendance](#), DfE, published May 2022, applies from September 2022 and will become statutory no sooner than September 2023.

### **Data protection**

Schools must ensure that personal data is handled in accordance with the [Data Protection Act 2018](#). See Willow Lane Community Primary School's Privacy Notice for information about how personal data will be used.

### **Duty for schools to include attendance information in reports for parents**

[The Education \(Pupil Information\) \(England\) Regulations 2005](#)

### **Duty for schools to notify the local authority when pupils join or leave school**

[Regulation 12 of The Education \(Pupil Registration\) \(England\) Regulations 2006](#)

### **Duty for maintained schools to publish attendance data**

[What maintained schools must publish online](#), DfE guidance

### **Duty for schools to report attendance concerns about individual pupils to the local authority**

[Regulation 12 of The Education \(Pupil Registration\) \(England\) Regulations 2006](#)

### **Duty for schools to report attendance data to Government**

[Section 537A of the Education Act 1996](#) and

[Complete the school census](#), DfE guidance for schools and local authorities on what data government requires

## **Duty for schools to safeguard and promote the welfare of children**

[Keeping children safe in education: Statutory guidance for schools and colleges](#), DfE, regularly updated

## **Leave in term time \***

[September 2013 amendment to The Education \(Pupil Registration\) \(England\) Regulations 2006](#)

\* This regulation does not apply to academies, though many adopt this as good practice.

## **Legal interventions**

Parents/carers commit an offence if a child who is on a school roll fails to attend regularly and those absences are recorded by the school as unauthorised.

Legal interventions are available under the following Acts, Guidance and Regulations:

- [Section 444 of the Education Act 1996](#)
- [Section 36 of the Children Act 1989](#)
- [Section 23 of the Anti-Social Behaviour Act 2003](#)
- [The Education \(Penalty Notices\) \(England\) Regulations 2007](#)
- [The Education \(Penalty Notices\) \(England\) \(Amendment\) Regulations 2013](#)
- [School attendance parental responsibility measures 2015](#)

## **Pupils with health needs who cannot attend school**

[Supporting pupils at school with medical conditions: Statutory guidance](#), DfE, 2015

## **Pupils with individual needs and specific barriers to attendance**

When considering the individual needs of pupils and families who have specific barriers to attendance, schools should be mindful of their obligations under the [UN Convention on the Rights of the Child](#) and the [Equality Act 2010](#). Schools may wish to refer to the [Technical Guidance for Schools in England](#), published by the Equality and Human Rights Commission, which outlines the requirements of the Equality Act 2010 for schools.

## **Regulations regarding participation in performances**

[The Children \(Performances and Activities\) \(England\) Regulations 2014](#)

## **Regulations regarding removal from roll**

[Regulation 8 of The Education \(Pupil Registration\) \(England\) Regulations 2006](#)

## **Regulations regarding the school day and number of sessions**

[The Education \(School Day and School Year\) \(England\) Regulations 1999](#)

[Requirement for state-funded mainstream schools to deliver a school week of at least 32.5 hours by September 2023.](#)

[Minimum expectation on length of the school week: information note](#)