



**Mid-Trent**  
Multi Academy Trust

## **Attendance Policy**

*November 2020*



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Version	Date	Detail	Author	Key Changes
1.0	November 2018	Initial	Leadership Forum	Rewritten to reflect changes
1.1	November 2020		Paul Hayward	Change wording from Local Governing Body to Local Academy Committee pg 7 Addition of revised Request for leave of absence letter and form – Appendix A

Approval History			
Version	Approver	Date	Included in the minutes of
1.1	MAT Board	03/11/20	Mid-Trent Directors Meeting

## Attendance Policy

### Principles:

- Regular school attendance is the key to enabling children and young people to maximise the educational opportunities available to them and become emotionally resilient, confident and competent adults who are able to realise their full potential and make a positive contribution to their community.
- Promoting excellent attendance is the responsibility of the whole Mid-Trent Multi Academy Trust (hereafter referred to as the 'Trust').
- This policy should not be seen in isolation but is a strand that underpins all other policies related to the well-being of children including safeguarding, behaviour, anti-bullying and support for children with medical needs.
- All children should be in school, on time, every day that school is open unless the reason for absence is unavoidable.

### School Responsibilities:

- At schools within the Trust positive behaviour and attendance will be promoted through use of curriculum and learning materials and good attendance will be rewarded appropriately.
- Schools within the Trust will work with parents to resolve problems which may affect a child's attendance and will involve representatives of other agencies that work with the schools such as the school nurse or representatives of the Local Support Team such as Education Welfare Workers - where required - in order that all children can benefit from consistently good punctuality and attendance. The 'Early Help Assessment' process will be utilised to support this.
- Trust schools will be proactive in encouraging attendance for all pupils through ensuring parents and pupils receive information on the importance of good attendance and punctuality and will react swiftly to intervene to improve attendance of individual children should this become a concern.

### Responsibilities of Parents / Carers:

#### **Parents /carers:**

- have a legal duty to ensure that their child of compulsory school age attends school regularly.
- must inform their child's school straight away if their child cannot attend and give the reason.
- must make every effort to make medical, dental or other appointments outside the school day.
- must ensure their child's school is aware of any circumstances at home that may be likely to affect their child's attendance.
- should encourage good routines at home which promote a healthy lifestyle including enough sleep.
- should talk to their child about school and let school know if their child is worried about any issues such as difficulties with homework or friendship problems.
- must ensure holidays are not booked in term time – **these will only be authorised in exceptional circumstances.**

- should seek advice from their G.P. if they are unsure how long their child will be off school with an illness.
- must ensure their child's school has up-to-date contact details.
- should encourage their child to enjoy school and make the most of all the opportunities available to them.

N.B. Parents whose children are experiencing difficulties should contact their child's school at an early stage and work together with the staff to resolve any problems. This is usually successful. If difficulties cannot be sorted out in this way, the school or the parent may refer the child to the Education Welfare Service at the Local Authority. He/she will also try to resolve the situation with voluntary support. If other ways of trying to improve the child's attendance have failed, these officers can issue Penalty Notices or use court proceedings to prosecute parents or to seek an Education Supervision Order on the child.

Alternatively, parents may wish to contact the EWW themselves to ask for help or information. They are independent of the school and will give impartial advice. Their telephone number is available from the school office or by contacting the Local Authority.

### **The importance of good attendance and its link to attainment:**

<b>Attendance 100%</b>	<b>95%</b>	<b>90%</b>	<b>85%</b>
<b>Perfect, your child has every chance to succeed.</b>	<b>Very good but your child has missed 10 school days over a year.</b>	<b>Worrying, your child has missed 19 school days over a year. Your child will struggle to keep up.</b>	<b>Poor, your child has missed 29 days over a year. Legal action may be considered.</b>

Every session in school is important if your child is going to succeed and not fall behind. At primary school level, pupils missing just 14 days of school a year in Key Stage 2 are a quarter less likely to achieve the expected standard in reading, writing and maths tests, than those children with no absence.

### **Admissions Register:**

Trust schools keep admission registers which record the date that each child joined the school and their personal details including those of their parents and of any previous school/s.

All schools and academies **must** keep a record of attendance register entries for at least three years and inform their local authority of any pupil who is going to be deleted from the admission register.

A pupil can lawfully be deleted from the admission register on the grounds prescribed in regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 where s/he:

- has been taken out of school by his/her parents and is being educated outside the school system e.g. home education (see below on home educated children);

- has ceased to attend school and no longer lives within reasonable distance of the school at which s/he is registered;
- has a medical condition certified by the local authority school medical officer that the pupil is unlikely to be in a fit state of health to attend school;
- is in custody for a period of more than four months due to a final court order and the proprietor does not reasonably believe they will be returning to the school at the end of that period;
- has been permanently excluded.

### **Elective Home Education:**

If Trust schools receive written notification from parents that they wish to home educate their child, the Local Authority via Entrust at [enquiries@entrust-ed.co.uk](mailto:enquiries@entrust-ed.co.uk) will be informed of the decision to remove the child's name from the admissions register. Whilst Trust schools will not seek to prevent parents from choosing to electively home educate their child, neither will it seek to encourage them to do this – particularly as a way of avoiding exclusion or due to a poor attendance record.

### **Covid 19 Pandemic 2020 - 2021**

The Trust will follow the latest government guidance regarding school absence during the pandemic. A child who is asked to self-isolate by the school will receive an “x” mark in the school register. This is not recorded as an absence. If a child has a positive Coronavirus test and must self-isolate, this will be classed as an illness and recorded as an “I” in the register. This is recorded as an authorised absence.

### **Definition of persistent absence:**

Persistent absentees are defined as those pupils missing around 10% or more of the typical amount of possible sessions across a given period.

### **Referral to Education Welfare Service:**

When an individual pupil's attendance level falls below 90% without good reason, a referral to the EWS will be made by Trust schools. Following investigation any unresolved issues could result in the parent receiving a Penalty Notice (see below) or ultimately a prosecution under the Education Act 1996 s.444.

### **Penalty Notices:**

1. In certain cases of unauthorised absence, Trust schools may authorise Staffordshire Local Authority to issue a Fixed Penalty Notice. (See the Local Authority Code of Conduct Protocol for the issuing of Penalty Notices – last revised in September 2017.)
2. Parents are regularly informed of the Local Authority Code of Conduct re Fixed Penalty Notices.
3. Information on the stance of the Trust and its schools with regard to unauthorised absence and Fixed Penalty Notices is available on the websites of individual Trust schools.
4. Parents will be notified individually by Trust school headteachers with regard to actions taken in the case of unauthorised absences.
5. In the case of persistent absence, it is emphasised that wherever possible, action will be taken by the school to improve a pupil's attendance and investigate and address any underlying cause of problems before making a referral to the Local Authority.

## **School Procedures**

### **1. Unauthorised Leave of Absence (e.g. For Holiday During Term-time)**

Where a request for leave of absence is made by a parent (See Appendix A for letter and absence request form) and subsequently taken after it has not been approved by the headteacher, the absence then becomes unauthorised. Referrals to the Local Authority will be made by the Trust school headteacher with regard to issuing of a penalty notice. **From 1<sup>st</sup> January 2018 any period of unauthorised leave may result in a parent receiving a penalty notice fine.**

If a parent hasn't requested leave of absence and then subsequently takes their child off school anyway (e.g. on holiday) this will automatically count as an unauthorised absence.

### **2. Illness**

Absences due to illness must be supported by medical evidence if a child's attendance falls below 90%; parents will be notified in a separate letter from Trust school headteachers where a child's attendance has fallen below this figure. Medical evidence does not need to be a doctor's note; it could be an appointment card or sight of a prescribed medicine. If such medical evidence is not provided by a parent by the time the child has returned to school, the absence will be deemed to be unauthorised and automatically recorded on the register as such.

### **3. Punctuality and Penalty for Persistent Lateness**

**From 1<sup>st</sup> January 2018** where there are more than **10** occurrences of lateness after the register has closed, Trust schools will refer the matter to the Local Authority who may wish to issue a penalty notice. Late marks do not have to be consecutive in order for the penalty notice to be issued.

### **4. Period of Time used to Measure Persistent Absence and Lateness**

If a child has had 10 days of unauthorised (persistent) absence – as opposed to **1**) above unauthorised leave of absence – or is late 10 times over a 12-week period parents may receive a penalty warning notice and also, potentially, a fine.

In all cases whether for lack of punctuality; medical reasons where a child's attendance has already fallen below 90% or a request for leave of absence, parents will be informed by letter from Trust school headteachers if any of the conditions are met that will result in a referral being made to the Local Authority. Parents will then be made aware of what they need to do to satisfy the authority's requirements. This is in line with Staffordshire County Council's new and revised Code of Conduct.

For information, the Penalty Notice fine currently stands at:

- £60 per parent, per child, if paid within 21 days, rising to
- £120 per parent, per child, if paid between 21-28 days.
- If the fine is not paid within 28 days, prosecution under S444.1 of the Education Act 1996 may occur.

If prosecution takes place, the maximum fine is £1,000 per parent, per child. This reflects the seriousness that the Government takes of unauthorised absence from school.

If a child continues to be absent after receiving a penalty notice fine for persistent non-attendance in a year, the Local Authority will then consider returning to court for further action under section 444(1) or 444(1a) which can then carry a fine of up to £2500, 3 months' imprisonment or a supervision order.

## **Summary:**

Trust schools have a legal duty to publish their absence figures to parents and to promote attendance. Equally, parents have a duty to make sure that their children attend school. Trust school staff are committed to working with parents as the best way to ensure as high a level of attendance as possible.

## **Legal Framework:**

- The Education Act 1996 ;
- The Education (Pupil Registration) (England) Regulations 2006 and amendments 2010, 2011 and 2013
- The Education (School Day and School Year) (England) Regulations 1999;
- The Education Act 2002; and The Changing of School Session Times (England) (Revocation) Regulations 2011. ;
- Crime and Disorder Act 1998;
- The Anti-social Behaviour Act 2003;
- The Education Act 2005;
- The Education and Inspections Act 2006;
- The Education (Parenting Contracts and Parenting Orders) (England) Regulations 2007;
- The Education (Penalty Notices) (England) Regulations 2007 and amendments;
- The Education and Skills Act 2008;
- The Equality Act 2010;
- The Supreme Court Judgement (2017) on The Isle of Wight v Platt case.

## **Review of Policy**

This policy will be reviewed annually by Trust staff (as applicable); representatives of Trust schools' Local Academy Committees and approved by the Board of the Mid-Trent MAT.

Signed:  **Paul Hayward** (CEO of the Mid-Trent MAT)

**Date of latest policy review: 3rd December 2020**

**Date of next review: Autumn 2021**

## **Appendix A – Request for leave of absence letter and application form.**

Dear Parent/Carer,

Regular school attendance is the key to enabling children and young people to maximise the educational opportunities available to them and become emotionally resilient, confident and competent adults who are able to realise their full potential and make a positive contribution to their community, as such holidays which take place partly or wholly within term-time are not permitted.

The 2013 amendments to the 2006 Education (Pupil Registration) (England) state that headteachers may not grant any leave of absence during term-time unless there are “exceptional circumstances”.

The Mid-Trent MATs criteria for exceptional circumstances which warrant an authorised leave of absence from school are identified as:

- Attendance as a specific and significant event, e.g. a wedding or funeral of someone close to the family which cannot otherwise be attended without absence from school.
- Attendance at a religious or culturally significant event;
- Service personnel returning from a tour of duty abroad where it is evidenced the individual will not be in receipt of any leave in the near future which coincides with school holidays;
- Where an absence from school is recommended by a health professional as part of a parent of child’s rehabilitation from medical or emotional issue;
- The death or terminal illness of a person close to the family.

If parents/carers feel that there are such circumstances which warrant their child’s absence from school they should complete this request for leave of absence form, clearly stating the exceptional circumstances. Upon receipt, each request will be considered on an individual basis by the headteacher in conjunction with members of the school’s Local Academy Committee members if necessary. Parents and Carers will then be notified of the decision as soon as possible. If leave is granted, the Headteacher will determine how many school days are warranted given the exceptional circumstances criteria above.

If leave is not granted and it is subsequently taken, it will be deemed unauthorised absence and a fixed penalty notice may be issued, regardless of the length of time a pupil is absent. Please note that the school does not issue the penalty notice, nor does the school profit from any monies received by the local authority as a result of fines issued. For information, the penalty notice fine currently stands at: £60 per parent, per child, if paid within 21 days, rising to £120 per parent, per child, if paid between 21-28 days. If the fine is not paid within 28 days, prosecution under S444.1 of the Education Act 1996 may occur. If prosecution takes place, the maximum fine is £1,000 per parent, per child.

We thank you for your support and understanding in these matters, and attach a leave of absence request form should you still wish to make a request in line with the guidance and information above.

Yours Sincerely,

School Name and logo

## Leave of Absence Request Form

Full Name(s) of child/ren:	
Name of parent making request:	
Address:	
Dates of requested absence:	
Number of school days absence requested:	
<b>Exceptional circumstance within which the request for absence falls (please tick):</b>	
<input type="checkbox"/>	Attendance as a specific and significant event, e.g. a wedding or funeral of someone close to the family which cannot otherwise be attended without absence from school.
<input type="checkbox"/>	Attendance at a religious or culturally significant event;
<input type="checkbox"/>	Service personnel returning from a tour of duty abroad where it is evidenced the individual will not be in receipt of any leave in the near future which coincides with school holidays;
<input type="checkbox"/>	Where an absence from school is recommended by a health professional as part of a parent of child's rehabilitation from medical or emotional issue;
<input type="checkbox"/>	The death or terminal illness of a person close to the family.
<input type="checkbox"/>	Other exceptional circumstance which potentially fulfils the requirements for a leave of absence.
<b>Please provide any additional information or evidence which supports your application (this may include invitations, letters from employers, leave dates etc):</b>	
Parent/carer signature:	
Date:	

**Please scan/copy and attach any supporting evidence or documentation with this application.**

**OFFICE USE ONLY**

**Current attendance of all children included in the application (inc. % authorised and unauthorised absence):**

**Number of days leave already granted for children included in the application this academic year and nature of exceptional circumstance in which leave was granted:**

**HEADTEACHER REVIEW OF APPLICATION****Outcome of Application**

Approved

Not Approved

Partially Approved. Number of days authorised:

**Reasons for Decision:**

Application does not meet the exceptional circumstances criteria outlined by the Mid-Trent MAT.

Application meets the following exceptional circumstances criteria outlined by the Mid-Trent MAT:

1. Attendance as a specific and significant event, e.g. a wedding or funeral of someone close to the family which cannot otherwise be attended without absence from school.
2. Attendance at a religious or culturally significant event;
3. Service personnel returning from a tour of duty abroad where it is evidenced the individual will not be in receipt of any leave in the near future which coincides with school holidays;
4. Where an absence from school is recommended by a health professional as part of a parent of child's rehabilitation from medical or emotional issue;
5. The death or terminal illness of a person close to the family.

Application potentially meets the criteria for other exceptional circumstance and was discussed and approved/not approved following presentation at Leadership Forum meeting on:

**Signed:**

(Headteacher)

**Date:**

**Date Parent/Carer notified of outcome of decision:**