



# **CLYST VALE COMMUNITY COLLEGE**

## **ATTENDANCE POLICY**

**Date Approved by Governing Body: May 2002**

**Last Reviewed and Adopted: Sept 2013**

**Review Schedule: Two Yearly**

**Next review Date: Autumn 2015**

**Responsibility: Deputy Principal (Pastoral)**

# CLYST VALE COMMUNITY COLLEGE

## ATTENDANCE POLICY

### Principles

Promoting positive behaviour and excellent attendance is the responsibility of the whole college community.

The college will promote positive behaviour and good attendance through good teaching and pastoral care. Good attendance and behaviour by students will be recognised appropriately. All students should be at college, on time, every day the college is open, unless the reason for the absence is unavoidable. The Deputy Principal and the Attendance and Admissions Officer (A&A) will use attendance data to inform students, parents and staff about the college's performance annually, raising its importance and making the link between attendance and attainment clear.

Students are at times reluctant to attend college. Our first approach is to resolve attendance problems between the college, the parents and the child. If a student is reluctant to attend, it is never better to cover up their absence or to give in to pressure to excuse them from attending. Permitting absence from college without a good reason is an offence by the parent.

This attendance and behaviour policy promotes and safeguards the welfare of pupils. Schools have a duty in law to refer any absence of 10 days or more where they have been unable to make contact with the parent/child or have general concerns about the absence to the Education Welfare Services sooner if a child was subject to a Child Protection Plan.

### Registration

An attendance register is taken twice a day, to show whether the student is present, engaged in an approved educational activity off-site, or absent.

### Authorised and Unauthorised Absence

If a student of compulsory school age is absent, every half-day absence from school has to be classified as either **AUTHORISED** or **UNAUTHORISED**. Only the college can authorise the absence, not parents. This is why information about the cause of each absence is always required.

**Authorised absences** are morning or afternoon sessions away from school for a good reason like illness, emergency, or permitted leave of absence

**Unauthorised absences** are those which the school does not consider reasonable and for which no "leave" has been given. These include:

- Parents keeping students off school unnecessarily
- Truancy before or during the school day
- Absences which have never been properly explained
- Students arriving at college after registration closes
- Holiday (from 1<sup>st</sup> September 2013 the discretionary power to authorise holiday has been removed)

## **Persistent Absence**

Persistent Absence is defined as being 15% or more absence by a pupil. The college monitors persistent absence closely to support individual students and families, and to provide information for the EWS. Statutory requirements introduced in 2006 have been removed from 1<sup>st</sup> September 2013.

## **Support for Students, Parents and Families**

Parents whose children are experiencing difficulties with attendance should contact the college at an early stage. Support is available through the School system, Additional Support, the Parent Support Assistant and access to external agencies. The college or the parent may also refer the child to the Education Welfare Officer from Devon County Council. He/she will also try to resolve the situation with voluntary support.

## **Penalty Notices (see also Appendices 1 and 2)**

- 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. The maximum penalty on conviction is a fine of £2500 and/or 3 months imprisonment.

## **Procedures and Responsibilities**

**The people responsible for attendance in this college are:**

Tutors and Heads of School  
 The Attendance and Admissions Officer  
 The Deputy Principal and Principal  
 The Governing body

The college applies the following procedures in deciding how to deal with individual absences:

- First day of absence calling by Attendance and Admissions Officer
- Absence information is communicated to the Attendance and Admissions Officer; if form tutors receive absence notes, these are referred to the Attendance and Admissions Officer

- Tutors monitor attendance data for patterns of absence or other concerns; contact parents; liaise with Heads of School
- Permitted leave of absence will be consistent with Devon LA procedures
- Final decisions on student leave of absence during term time rests with the Deputy Principal/Principal
- Referral to EWS occurs after 5 days unauthorised absence, and will be followed by referral for Fast Track prosecution if improvement is not seen within the required time scale
- EWO will make contact with family EWO and A&A officer meet regularly to discuss attendance data and progress on individuals with a focus on vulnerable children
- Parents may have their right for illness absences for their child withdrawn (Doctor's note then required)
- Principal signs Penalty Notice warning letter applications
- Annual report to Governors and parents on data and performance.

When an individual student's attendance level falls below 85% in any term without good reason, a referral to the EWS will be made by the college. Following investigation any unresolved issues could result in the parent receiving a Penalty Notice or ultimately a prosecution under the Education Act 1996 s.444.

### **Circumstances where a Penalty Notice may be issued:**

- A Penalty Notice can only be issued in cases of unauthorised absence;
- In cases where there is more than one poorly-attending student in a family multiple notices may be issued. This decision will involve careful consideration and consultation with schools by the EWS regarding the family's current circumstances;
- There will be no restriction on the number of times a parent or carer may receive a formal warning of a possible issue of a Penalty Notice.

The college will apply local authority criteria to issues of attendance in order to ensure consistency

- There must be at least 10 sessions (5 school days) lost to unauthorised absence by the pupil **within 6 calendar months**, attendance should be calculated cumulatively.

## **Appendix 1: Devon Local Authority's Procedures for Issuing Penalty Notices**

### **Procedure for issuing Penalty Notices:**

- It is proposed that the EWS will issue Penalty Notices in Devon either as part of their ongoing casework or following referral from schools. It is intended that this process will ensure consistent and equitable delivery, retain school-home relationships and allow cohesion with other enforcement sanctions.
- The EWS will only issue Penalty Notices by post. This will ensure that all evidential requirements are in place and meet Health and Safety requirements for County Council employees.

Where Schools, Police and neighbouring LA's ask that Devon County Council issue such a Notice, their request will be investigated and only actioned by the EWS where:

- the EWS is satisfied that it has all relevant information;
- the circumstances of the pupil's absence meets the requirements of this Protocol;
- there is a reasonable expectation that the use of a Penalty Notice would improve attendance; and
- the issue of a Penalty Notice does not conflict with other intervention strategies in place or enforcement sanctions already being used.

### **Procedure for withdrawing Penalty Notices:**

Once issued, a Penalty Notice may be withdrawn in the following circumstances:

- the Council is satisfied that there is proof that the Penalty Notice was issued to the wrong person;
- the use of the Penalty Notice did not conform to the terms of this Protocol; or
- the parent can show that they did not receive the Penalty Notice e.g. it was delivered to the wrong address.

### **Payment of Penalty Notices:**

- Arrangements for payment will be detailed on the Penalty Notice;
- Payment of a Penalty Notice discharges the parent's or carer's liability for the period in question and they cannot subsequently be prosecuted under other enforcement powers for the period covered by the Penalty Notice;
- Payment of a Penalty Notice within 21 days is £60 and payment after this time but within 28 days is £120; and
- The County Council retains any revenue from Penalty Notices to cover enforcement costs (collection or prosecuting in the event of non-payment).

**Non-payment of Penalty Notices:**

Non-payment of a Penalty Notice will result in the withdrawal of the Notice and will trigger the prosecution process under the provisions of section 444(1), of the Education Act 1996.

## Appendix 2: Penalty Notice Information for Parents

# Penalty Notices

## Information for Parents

Parents have a legal duty to make sure that their children go to school regularly. The local authority can now issue Penalty Notices if a parent fails to make sure that their children receive the education they deserve. This leaflet tells you about these notices.

### School Attendance and the Law

Any absence from school is a cause for concern. Only by attending every day will your child have the best chance to get the most from their education.

The headteacher at your child's school must decide whether to authorise an absence. That is to agree that there was a legitimate reason for your child not to be in school.

There are only five legitimate reasons for absence:

- Religious observance
- Proven illness of the child
- Unavoidable cause i.e. sudden death in the family, flood, fire
- Absence authorised by the School
- Transport provided by the Local Authority does not turn up

The Education Welfare Service (EWS) can take legal action against you if you fail to make sure that your children go to school regularly and there is no legitimate reason for the absence. This action might take one of two forms:

- The issuing of a Penalty Notice
- Prosecution in the local Magistrates Court

This information is about Penalty Notices and how the EWS will issue them.

### What they are

Penalty Notices are fines, issued by Devon EWS, for a child's unauthorised absence from school.

The service will always consider legal action when there is no legitimate reason for absence.

### How they will be issued

Notices will be issued by post.



This graph shows the effect of missing time from school over a year. Every school session is important if your child is not going to fall behind.

The EWS will not take legal action if previously poor attendance is now improving.

Instead they'll monitor the case and support the pupil. If attendance doesn't improve, or if absences begin to increase the EWS will re-assess the case to see if legal action is needed.

## Penalty Notices

### What they mean

Parents who are subject to a penalty notice have 3 choices:

Pay the fine early, within 21 days, and it is £60

Pay after 22 days but within 28 days and the fine is £120.

Don't pay the fine. In this case the Notice will be withdrawn and Magistrates Court proceedings will start. This could result in a fine of up to £2500 for each child whose attendance is causing concern and for each parent involved in the prosecution.

### Further information

If you would like further information about Penalty Notices please contact your district Education Welfare Team:

If you have concerns about your child's education you should, initially, discuss these with the college.

Tel: 01392 461407 (General enquiries)

Or: 01392 463936 (Attendance and Admissions Officer)

Or, to speak direct to an officer at county level:

Education Welfare Service

2<sup>nd</sup> Floor  
Milford House  
Pynes Hill  
Exeter



EX2 5GF  
01392 287357