



**ST. BEDE'S ATTENDANCE PROCEDURE  
SEPTEMBER 2009 – 2010**

- If a Penalty Notice is issued you have 28 days from the date of issue to pay £50. After 28 days it will increase to £100. Failure to pay within 42 days will result in prosecution in the North Lincolnshire Magistrates' Court under Section 444 (1/1A) of the Education Act 1996 for failing to secure your child's regular attendance at school
- Penalty Notices are issued to **all parents/carers individually**, this includes partners and any person identified as having responsibility for ensuring the child attends school regularly, which can include grandparents and older siblings

### What can I do to help?

- Take an interest in your child's education and encourage regular school attendance
- Contact your child's school on the first day of absence
- Try to avoid unnecessary absences
- Wherever possible make medical and dental appointments outside of school hours
- Avoid family holidays during term time

*If you suspect your child may be missing school or is unhappy at school, you should contact the school or Local Authority so that advice and guidance can be provided*

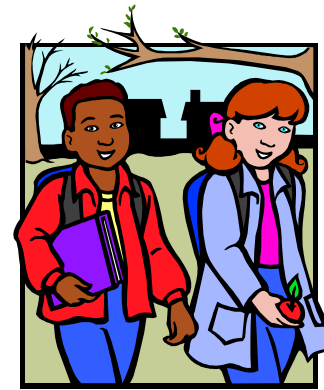
### Education Welfare Service

Church Square House  
High Street  
Scunthorpe  
North Lincolnshire  
DN15 6NL

Tel: 01724 297502  
Fax: 01724 296866



Education Welfare Service



## SCHOOL ATTENDANCE

Every day of school attendance helps your child  
enjoy and achieve

Good attendance provides better chances and more choices

All children who are between 5 and 16 years old are entitled to an appropriate, full time education.

Most parents want their children to be happy and achieve

It is more important than ever for children to have a good education, to have choices and opportunities in adult life

Children only get one chance at school, and your child's chances of a successful future may be affected if they are not attending school regularly

- Research shows that some young people who regularly miss school can be drawn in to anti-social behaviour or crime.

*Parents/carers are responsible for making sure that their children regularly attend the school at which they are registered. The Local Authority is responsible for making sure that parents/carers fulfil their responsibilities.*

### **Authorised and Unauthorised Absences**

- There may be times when your child has to miss school because they are ill in which case you should contact the school on the first day of absence
- Children may have to attend medical or dental appointments in school time, but routine appointments should be made out of school hours
- Persistent absence may not be authorised as a medical reason without confirmation from a medical practitioner
- If you think you might need to take your child out of school for any reason, discuss this with the school as soon as possible.
- Reasons such as a family bereavement or a religious event would be acceptable for short absences
- Holidays during term time are not an entitlement and must be authorised by the Head Teacher
- Unacceptable reasons for missing school includes shopping, haircuts and birthdays and unauthorised holidays

### **What if my child does not attend school regularly?**

- Your child's school is responsible for reporting irregular school attendance to the Local Authority
- Every school has a named Local Authority officer who is there to help with concerns about school attendance or punctuality
- You will be given advice to address your child's school attendance issues and help you to meet your legal responsibilities as a parent
- Responsibility for ensuring the regular school attendance of a child remains with parents/carers
- Where support has been provided to a family, and school attendance does not improve, Legal proceedings may be instigated against the parents/carers.

### **Holidays in term time**

- The Head Teacher at your child's school has a discretionary power to grant **up to ten days** authorised absence during term time in any one academic year. This has to be exceptional circumstances and for the purpose of one family holiday - **this is not an entitlement**
- If holidays are taken that have not been authorised a **Penalty Notice will be issued** if there are 10, or more, unauthorised sessions (half days)

*As a parent/ carer, you are committing an offence if you fail to secure the regular attendance of your child at the school where they are registered*

### **What is a Penalty Notice?**

- The Anti Social Behaviour Act 2003 introduced legislation that made provision for the Local Authority to issue Penalty Notices to address unauthorised absences and prevent a pattern of irregular school attendance from developing
- A Penalty Notice requires a fixed fine to be paid by parents/carers of pupils who have unauthorised absence from school.

- *Can I be prosecuted if I pay the Penalty Notice but my child is still missing school?*

Not for the period included in the Penalty Notice because payment discharges your liability.

However parents and carers can be prosecuted for further periods of poor attendance not covered by the Penalty Notice. It is essential that parents/carers work closely with school staff and support services, to resolve any issues that are preventing the regular school attendance of a child of compulsory education age.

- *Can I get help if my child is not attending school regularly?*

Yes, your child's school and the Local Authority will give you advice and support to secure an improvement in your child's school attendance.

It is very important that parents/carers speak with school staff or support officers if there are concerns about securing a child's regular school attendance.

All schools have an allocated officer from the Local Authority.

For further information please contact the Education Welfare Service.

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## **PENALTY NOTICES**

Section 23 of the Anti Social Behaviour Act 2003

**Advice for parents and carers regarding irregular school attendance**

### ***What is the Anti -Social Behaviour Act 2003?***

Section 23 of the Act gives powers to the Local Authority and other designated bodies to issue a Penalty Notice where a parent/carer is failing to secure their child's regular school attendance.

- ***Why has it been introduced?***

Reducing school absence is a key priority nationally and locally, because irregular attendance and absence from school damages a pupil's attainment levels, disrupts school routines and the learning of others. It can also leave a pupil vulnerable to anti-social behaviour and youth crime.

**Missing school has a detrimental effect on life chances and opportunities.**

- ***What is a Penalty Notice?***

Under existing legislation, parents/carers commit an offence if their child fails to regularly attend the school at which they are registered, and the absences are classed as unauthorised (absences that the school cannot or has not given permission). Parents/carers are prosecuted under Section 444(1/1A) of the Education Act 1996.

A Penalty Notice is an alternative to prosecution, and does not require an appearance in Court.

Payment of an issued Penalty Notice enables parents to discharge their liability for the unauthorised absences identified on the Notice.

- ***What are the costs?***

Payment within 28 days of receipt of a Notice is £50 and £100 if paid after 28 days but within 42 days. Non payment of a Penalty Notice will result in the prosecution of the parent/carer in the North Lincolnshire Magistrates' Court.

- ***How are they issued?***

Hand delivered or posted to your home.

- ***When are they used?***

Penalty Notices can be used in a range of situations where unauthorised absences occur:

1. Irregular school attendance,
2. Overt truancy (including pupils found during truancy sweeps),
3. Parentally condoned absence,

4. Holidays in term time ,

5. Persistent late arrival at school (after the register has closed),

6. Delayed return to school following a fixed term exclusion.

A pupil will have had a minimum of 10 school sessions (half days) recorded as unauthorised absence before a Penalty Notice is considered.

The Local Authority takes this action seriously and would far rather work with parents/carers to improve attendance without having to resort to any enforcement actions.

**Regular school attendance is extremely important and the Local Authority will use legal intervention if it is the only way of securing a child's education.**

- ***Is a Warning Given?***

Yes, you will receive a written warning of the possibility of a Penalty Notice being issued, which will tell you the extent of your child's absences, and give you a specified 15 day period in which your child must have no unauthorised absences from school.

You will not receive a warning when a pupil has been taken on holiday during term time and the absence has not been authorised by the school.

There is no limit to the number of times formal warnings can be made.

- ***Is there an appeal process?***

There is no statutory right of appeal once a Penalty Notice had been issued, but on receipt of a warning you can make representation should you wish.

- ***How do I pay?***

Details of payment arrangements will be included on the Penalty Notice.

- ***What happens if I do not pay?***

You have up to 42 days from service to pay the Penalty Notice in full, after which the Local Authority is required under the Act to commence proceedings in the North Lincolnshire Magistrates Court for the original offence of irregular school attendance by your child.

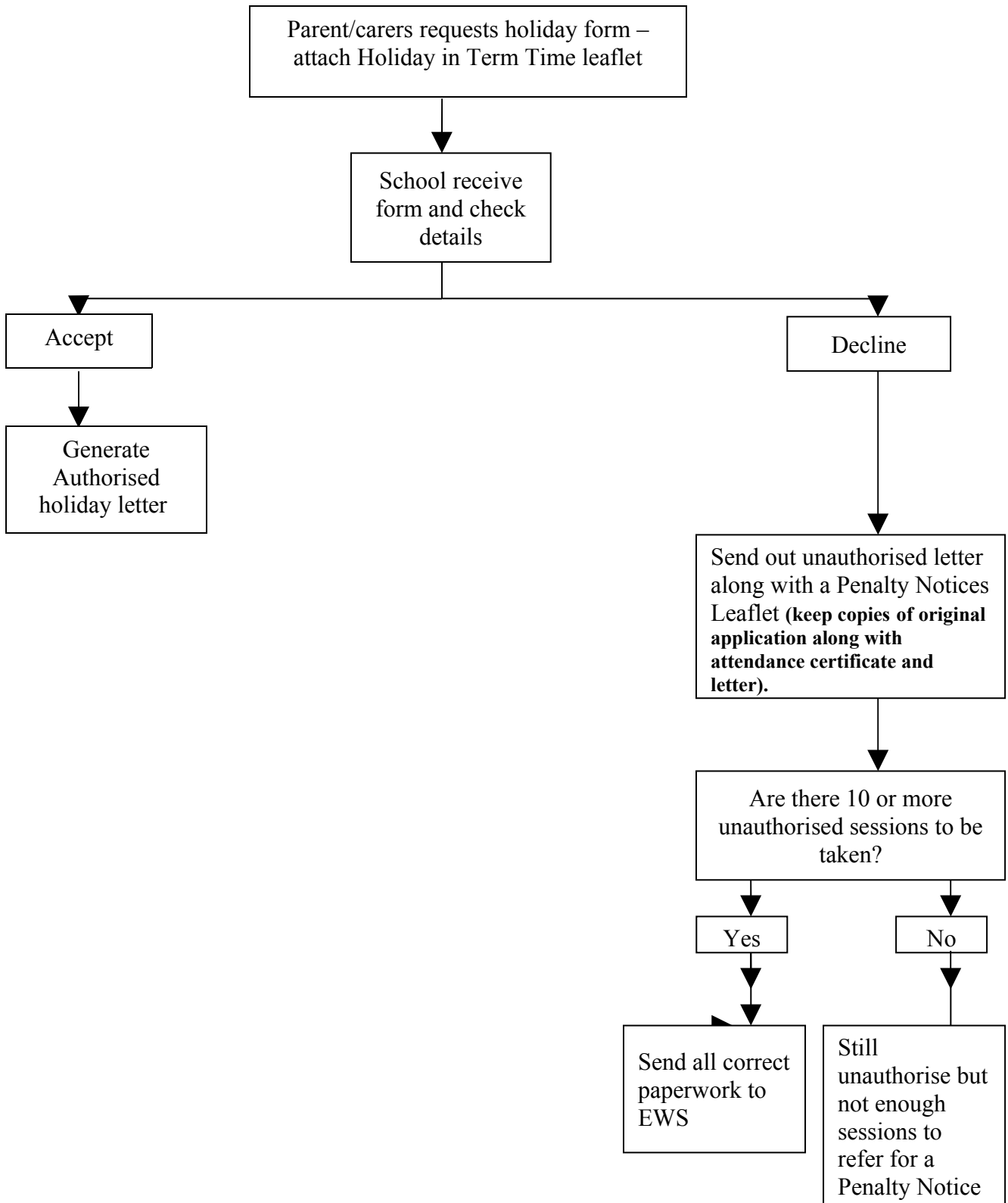
If you are found guilty there are different sentencing options available including, Conditional Discharge, Fine, Parenting Order, Community Punishment and Rehabilitation Order or a Custodial Sentence.

## LATES PROCEDURES

- All students must be in their classrooms by 8.45am.
- All staff **Must** ensure late slips for students. If a student turns up to class without a late slip they must be sent down to their SLO for a slip.
- If school bus is late students should be marked as present.
- 3 Lates will generate an after school detention. Then Letter home.
- Lates for market on Thursday generate immediate 1 Hour After School Detention. Letter home.
- **Any student who is late after receiving an after school detention, parents must be brought into school for a meeting with the House Leader.**
- Continued Lates could result in unauthorised absence and a possible referral made to the Education Welfare Officer.

# HOLIDAY REQUEST PROCEDURE

## For Schools



- Ensure letters sent to a parent/carers are addressed to individuals e.g. x1 letter to Mr Steven Smith
- Complete referral form completely (request advice from EWO)
- Ensure both parents/carers name are in full e.g. Mr Steven Smith
- **Keep a dated record of any conversations held with parents/carers regarding holiday in term time requests.**
- **Always keep a copy of any correspondence sent to parents/carers.**

## **APPLICATION FORM FOR ABSENCE FOR A HOLIDAY DURING TERM TIME**

You are required by law to ensure that your child attends school regularly.

Holidays during term time are not an entitlement and parents/carers cannot demand leave of absence for their child. You should not book holidays in term time until you have sought the head teacher's authorisation, as this will only be given in special/exceptional circumstances.

This form should be completed by the parent/carer with whom the child normally resides and returned to the school at least two school weeks prior to the period of absence for which permission is being requested.

In accordance with The Education (Pupil Registration)(England) Regulations 2006, head teachers can only authorise up to 10 days (20 sessions) in any one academic year, for leave of absence due to holidays in term time, if the head teacher considers that there are **special circumstances relating to the application**. A head teacher cannot authorise more than 10 days (20 sessions) save in exceptional circumstances.

**Applications for a holiday in term time should only be made if there are special/exceptional circumstances** as to why the holiday cannot be taken outside of term time and these circumstances **must be detailed on this application form**. Evidence in support of these circumstances must be provided to the school with this application form, (as retrospective consent will not be given) for example a letter from your employer confirming that it is not possible to take the holiday during any of the school holidays, or a doctor's certificate in support of a family crisis/serious illness.

Government Guidance as to what may be considered as special circumstances are:

- For service personnel and other employees who are prevented from taking holidays outside of term time, if the holiday will have minimal disruption to the pupil's education: and
- When a family needs to spend time together to support each other during or after a crisis/serious illness.

**However, each request will be looked at on the circumstances detailed on the application form.**

The head teacher may also consider the time of year for the proposed trip, if it is during or near any exam dates, your child's overall attendance pattern, any holidays already taken in the school year, the age and stage of education of your child, your wishes, the ability of your child to catch up the work that they have missed.

**Any absence taken without the permission of the head teacher will be recorded as unauthorised absence in the school register, which is a legal document.**

**Penalty notices** have been introduced under section 23 of the Anti-Social Behaviour Act 2003 as an alternative to prosecution, for failing to ensure your child's regular school attendance. Where a child has at least 10 school sessions (half days) recorded as unauthorised absence due to taking holidays in school term time, a penalty notice may be issued to all parents/carers by the local authority. If a penalty notice is issued, each parent/carer will have 28 days from the date of issue to pay £50, after 28 days it will increase to £100, per parent/carer, per child. **Failure to pay a penalty notice within 42 days will result in prosecution** in the Magistrates' Court under section 444(1/1A) of the Education Act 1996, for failing to secure the regular school attendance of a child. **Persistent unauthorised absence due to holidays in term time may result directly in prosecution.**

**PLEASE COMPLETE THE HOLIDAY FORM OVERLEAF AND ATTACH ANY EVIDENCE OF SPECIAL/EXCEPTIONAL CIRCUMSTANCES.**

# Request for Holiday Form

Name of Student: \_\_\_\_\_ Tutor Group \_\_\_\_\_

I request permission for my son / daughter to be absent from school for the purpose of a holiday.

From \_\_\_\_\_ To \_\_\_\_\_  
(first date of absence) (last date of absence)

Total School Days \_\_\_\_\_

**Special/Exceptional circumstances - you must explain the circumstances for the holiday and attach evidence in support, (please continue on a separate sheet of paper if necessary) or if you prefer detail your circumstances in a letter, place in a separate envelope and attach to this application form:**

\_\_\_\_\_  
\_\_\_\_\_

Siblings in other school (please list child and school)

\_\_\_\_\_  
I will ensure that work missed by my child /ren during this period will be made up. (It is not the responsibility of the school to supply or correct work)

Signed \_\_\_\_\_ Date \_\_\_\_\_  
(Parent /Carer)

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USE ONLY

Date Returned	Current Attendance	Previous Year Attendance	Authorised Days	Unauthorised Days

Reply Slip.....

Name of Student \_\_\_\_\_ Tutor Group \_\_\_\_\_

The school has considered your application for leave of absence for a holiday in term time

From \_\_\_\_\_ To \_\_\_\_\_

In accordance with the Regulations this will be recorded as \_\_\_\_\_ days authorised absence / \_\_\_\_\_ days unauthorised absence.

Signed \_\_\_\_\_ Date \_\_\_\_\_  
(Head Teacher)

## What is a Penalty Notice?

The Anti Social Behaviour Act 2003 introduced legislation that made provision for the Local Authority to issue Penalty Notices. These Notices require a fine to be paid by parents/carers of pupils who have unauthorised absence from school.

If a Penalty Notice is issued you have 28 days from the date of issue to pay £50. After 28 days it will increase to £100. Failure to pay within 42 days will result in prosecution in the Magistrates' Court under Section 444 (1/1A) of the Education Act 1996 for failing to secure your child's regular school attendance.

**Every school day helps your child enjoy and achieve**

**When you are planning your holidays try to take them when school is closed**

## Where can I get further advice on this matter?

Always contact your child's school first, as they are the only authority with the discretionary power to grant the special/exceptional leave of absence for a family holiday. You can also seek advice from:

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may be cheaper but your child's education is priceless

*We recommend that you*

***DO NOT*** book your holiday unless it has been authorised by the school

**52 weeks in a calendar year**

**39 weeks in a school year**

**Please consider the following facts if you are thinking of taking a holiday during term time:**

- \* While you are away for one week your child will miss approximately 20 hours of their education
- \* If your child has two weeks holiday during term time and one week of illness during the school year they will miss 7.7% of their education in that year. If this pattern is repeated throughout their school life they would miss **33** weeks of their education
- \* Research shows that children taken out of school may never catch up on work they have missed. It may affect their exam results and the progress they make at school
- \* Every school day counts if your child is to maximise their potential

#### **Your Request:**

If you decide to still make a request, it must be under special/exceptional circumstances, and for the purpose of one annual family holiday, you should:

- Collect a holiday form from your child's school, which must be completed, identifying what the special/exceptional circumstances are, and returned to the school at least two weeks' prior to the period of absence for which permission is being requested.
- Be a parent/carer with whom the child normally resides
- Agree not to make multiple or conflicting requests from separated parents or other relatives such as grandparents. **This will not be an acceptable reason to ask for additional holidays in term time**

#### **The Decision:**

The Head Teacher at your child's school has a discretionary power to grant **up to 10 days'** authorised absence in any one academic year for the purpose of an annual family holiday during term time in special/exceptional circumstances - **this is not an entitlement.**

#### **The Head Teacher will consider:**

- **The special/exceptional circumstances identified by you**
- **Your child's age**
- **Time and length of leave requested and previous holiday requests**
- **Your child's attendance record**
- **Key dates such as exams/tests/other educational activities**
- **Whether your child is achieving their full potential**

The Head Teacher will inform you of their decision, which should be in writing.

**Penalty Notices** are issued to **all parents/carers individually** for **each child** taken out of school for an unauthorised holiday, this includes partners and any person deemed to have a responsibility to ensure the child regularly attends school, which can include grandparents and older siblings.

#### **Example:**

2 parents/carers/responsible adults

+

2 children with unauthorised holidays

=

**4 Penalty Notices**

If your child stays away from school for longer than has been authorised this will be recorded as unauthorised absence. In these circumstances the school is required to inform the Local Authority and a **Penalty Notice** will be issued.