

Hackney Learning Trust

School Attendance – Position Statement

Context

Ensuring the safeguarding of all pupils requires cohesive local partnerships to achieve positive results for young people. Hackney Learning Trust, Schools and partners are focused upon the opportunities for every young person to fulfil their potential. The work of Hackney Learning Trust must be to ensure that such opportunities are made available to all young people within this authority by ensuring effective deployment of services and continued and sustained improvements in attendance levels year on year.

The underpinning principles in promoting regular school attendance are to:-

- treat all clients with professionalism and respect, and display understanding of Equalities and Diversity.
- ensure that safeguarding is considered throughout assessment and intervention with pupils and families, in order to contribute to the best possible outcomes for all young people at risk of disaffection from education;
- work with individual pupils and their families to assess and respond to their educational needs and to ensure that young people do not remain disenfranchised from the educational system;
- engage with other agencies, both statutory and voluntary, to ensure that the welfare and protection of all young people remains paramount;
- work with all schools to respond to their identified needs in order to improve attendance levels and provide access to alternative educational provision if required;
- ensure that all young people have access to educational provision suitable to age, ability, aptitude and any special educational needs that they may have;
- ensure (with partners New Regents College and Admissions) that no pupils are without education for more than 15 school days;
- respond to the educational needs of vulnerable groups and ensure that the safeguarding of all pupils remains at the forefront of all considerations;

HACKNEY LEARNING TRUST

1 Introduction

- 1.1 Hackney Learning Trust is committed to working with schools and other partners to improve school attendance and punctuality across the Local Authority. Underpinning this commitment is the understanding that unless children and young people attend school regularly and punctually they will not be able to take full advantage of the educational opportunities available to them.

2. Absenteeism

- 2.1 Ofsted guidance re: inspecting attendance places expectations on schools to reduce persistent, unauthorised and overall absence.
- 2.2 From July 2011, a persistent absentee was defined as a pupil who has absence equating to 15% or more of their school sessions. Previously, a 'persistent absentee' was a pupil who had absence in excess of established half termly thresholds, equating to 20% or more of their school sessions (1 session = ½ day) for any reason or combination of reasons. This is whether the school authorised the absence or not.
- 2.3 From the beginning of the 2015 academic year, Government reduced the persistent absence threshold from 15 per cent to 10 per cent.
- 2.4 Unauthorised absence is that for which no reason has been given, or the explanation provided by parent / carer is deemed insufficient. It is the responsibility of the Head teacher and Governing Body to determine whether absences are authorised or unauthorised. If an absence is authorised, this means that school have accepted the reasons for absence as legitimate and there are no grounds for local authority to consider the appropriateness of prosecution.
- 2.4 The Education Attendance Service (EAS) works to support all schools within Hackney, to reduce persistent and unauthorised absentee levels in accordance with DFE expectations and thresholds.

3 Vulnerable pupils

HLT suggests that Schools should ensure that the following pupils are known to relevant co-ordinators in school and that action plans are in place to support the continuity of learning for such pupils. Where pupils exhibit problems with regular school attendance, such matters should be discussed with the allocated School Attendance Officer (traded service) so that consideration can be made for appropriate referrals to ensure that child and family are supported to access education

- Teenage parents
- Gypsy, Roma and Travellers
- Asylum seekers and Refugees
- Looked After Children (LAC)
- Children with a Child Protection (CP) plan
- Children missing from education / not receiving suitable education
- Pupils with Special Educational Needs
- Young Carers
- Pupils who have moved into Elective Home Education, or the Independent sector and where concerns exist about the decision to do so.

4. Education Attendance Service (EAS)

- 4.1 With effect from September 2018, the EAS is a fully traded service. This does not affect access for ALL Schools and Academies to the statutory (enforcement) aspects of the service which remain available to all and are free of charge.
- 4.2 **Objectives** - The service aims to
- ensure that educational opportunities for all young people in the borough who are of statutory school age are maximised by means of regular school attendance;
 - support schools operationally (by receiving individual referrals) and strategically (by using and evaluating data to target resources, to advise on legislation and regulations etc.);
 - work with other key professionals and agencies to ensure Children attend their allocated educational provision, or that provision is identified for individual pupils resident in the authority not in receipt of efficient full time education;
 - work with other statutory agencies (for example, Police, Social Care, Housing) to ensure the welfare of all children resident in the authority (referring to the Hackney Child Well Being Framework), in accordance with 'Keeping Children Safe in Education', the DoH 'Working Together' document, All London Child Protection Procedures.
 - work with schools on whole school approaches to improve attendance through policy development, review of systems and developing improvement plans.
 - work with other service providers to provide co-ordinated support to schools and pupils and disseminate good practice; and
 - work with parents and pupils, employing a casework approach, to improve attendance through early intervention and utilising a continuum of support.
- 4.2 **Target Setting** -. Although requirements to submit centralised annual absence targets no longer exist after 2012, schools are encouraged to establish absence targets to assist in continuous improvements. The EAS, in conjunction with the School Improvement Service, is available to support discussion on this matter and provide relevant data
- 4.3 **School Based Activities** - The service operates strategically within schools by making use of attendance data and focussing resources within school on the areas with most significant attendance concerns. Officers are able to provide advice on school attendance policies and management of attendance issues.
- 4.5 **Home Visits** - School Attendance Officers visit parents and pupils in their homes and undertake assessments of the causes of poor school attendance and then identify strategies and action plans to resolve difficulties and improve school attendance.
- 4.6 **Legal Proceedings** - In situations where parents fail to ensure regular attendance, the EAS will, where appropriate, take legal proceedings against parents (See 4.1 above). The service can also pursue Education Supervision Orders on pupils of school age who refuse to comply with the reasonable boundaries and expectations set by parents, school and Local Authority. The service will issue fixed penalty notices in situations where parents appear unwilling to change patterns of poor attendance, but where prosecution is not appropriate to the level of absenteeism and current interventions. Parenting Contracts can also be implemented to address specific areas of parenting.

5. The School Attendance Officer

We expect that schools will intervene on all attendance issues above the level of 85% (the persistent absence threshold from July 2011), and that advice and guidance is sought from the EAS / allocated School Attendance Officer as soon as emergent patterns of absence are identified. However, in situations wherein it is felt reasonable and justifiable to intervene with emerging patterns of irregular attendance above this threshold, some intervention from the Education Attendance Service may be applied. The School Attendance Officers will visit schools regularly, within the time allocation for each school to undertake the following:

- Provide advice on strategy to the Head teacher, Attendance Governor, Attendance Lead and Attendance Secretary.
- Provide advice and guidance to pastoral staff on Pupils Registration Regulations, Categorisation of absence, Safeguarding / Child Protection Issues and general guidance re: Children's Services.
- Assist the attendance lead to develop and implement an attendance policy
- Assist the attendance lead with the analysis of whole school data, and encourage schools to make use of all available data resources, such as SIMS and lesson monitor, data on Behaviour, Special Educational Needs, and Free School Meals etc. This should inform any target setting processes.
- Encourage the school to take responsibility for early intervention and through liaison with staff to ensure patterns of absence are spotted early.
- Ensure thresholds are clear and adhered to by all school staff
- Provide consultation, advice and support on pupils who are beginning to display emergent patterns of poor attendance but are still above the criteria of referral to the EAS.
- Contribute to issues relating to whole school attendance, registration and punctuality systems, sanctions and reward systems, development or revision of school attendance policy, focus of school resources to tackle poor attendance
- Provide additional support in relation to training (twilight / INSET) and contribute to whole school and year group assemblies to focus on attendance
- Establish systems to check registers with lead staff in school. The Attendance Officer's time should include focus on individual pupils as well as patterns for school attendance levels.
- Provide direct intervention with parents and families in line with the school's policy and agreed thresholds. Assist with any meetings with parents. Make the legal position and any likely sanctions clear.
- Provide support for any family that is doing its utmost to ensure regular access to education.
- Liaise with other key professionals and ensure effective networking to support vulnerable pupils, with specific regard to pupils who are in public care. Within this, to ensure effective reporting lines to other strands or projects within Hackney Learning Trust and partner agencies.
- Receive referrals on pupils who attend erratically after school based intervention has not led to improvements. School Attendance Officers will respond to referrals received from schools within 5 working days of receipt (provided that the referral is completed fully and is a legitimate referral to the service following school based interventions). This will involve an initial contact with the family in question in order to complete an Initial Assessment form or Common Support Framework (CSF) and to commence work to address irregular attendance.
- Feed back to pastoral staff in school on intervention / strategy / progress on existing referrals, and wherever possible indicate the plan of action agreed through Education Attendance Service (EAS) professional supervision
- Attendance Officers will use fortnightly supervision to discuss entrenched cases where no response or improvement is forthcoming. In such cases, a plan of intervention will be drawn up which sets out responsibilities upon school, parent and pupil and sets time-scales for improvements or consideration of statutory intervention to enforce school attendance.
- Provide support and advice over any planned prosecutions or any penalty agreed with the school. For pupils with deteriorating attendance (and below the threshold as above), the SAO should focus on 'fast-track' casework deploying the level of resources necessary to identify achievable strategies for family and pupil and to address statutory defences and prove a case in Magistrates Court under s.444 / 444.1(a).

- From January 2006, Fixed Penalty Notices (section 23 Anti-Social Behaviour Act 2003) have been considered, especially where parents refuse to engage in order to improve their child's school attendance.

SCHOOLS

6. Expectation of School's Role in respect of Attendance

The greatest difference can be made by the school itself. The school should have systems to alert them to deterioration in attendance or of developing patterns of absence at an early stage. Intervention at this point can prevent problems escalating.

Schools should have their own plan for improving attendance. This should be a whole school approach where there is a designated senior leader with all responsibilities clearly defined.

Schools should

- Ensure that an up to date Attendance Policy is in place.
- Ensure attendance practices are understood by all school staff and that attendance practice is followed consistently.
- Provide an accurate and consistent registration system.
- Make first day phone contact to all parents/carers whose child is absent without notification.
- Log pupils' movement in and out of school.
- Ensure that routine letters are sent out at the earliest opportunity following absence. These reflect the importance of attendance.
- Ensure that attendance is a fixed agenda item at the school meetings.
- Ensure that parents are aware of the importance of regular attendance and understand their role and responsibilities in supporting school attendance.
- Access staff training on attendance issues.
- Ensure that systems to track and challenge sporadic absence are thorough, and provide "catch up" opportunities for work missed during absence.
- Provide incentives for good attendance, e.g. league tables for individual forms, attendance competitions
- Ensure regular emphasis on the connection between attendance and attainment, e.g. in assemblies.
- Provide weekly information to parents/carers of children whose attendance deteriorates.
- Provide individual attendance targets for pupils; All PA pupils should have an Individual Attendance Plan.
- Provide meetings with parents/carers to address attendance issues. Consider use of Parenting Contracts.
- Ensure that patterns of attendance across the form groups are examined by Head of Year.
- Ensure parents/carers are aware of the guidance regarding holidays in term time and of the impact this can have on their child's overall achievement.
- Ensure that staff regularly patrol the school building and surrounding areas to ensure pupils are not truanting in the vicinity of the school.
- Appoint an Attendance Lead to deal with all attendance issues including the analysis of data and to carry out daily, random post registration truancy checks.
- Ensure that all relevant information re: destinations for pupils who are de-registered are ascertained from parents / carers prior to de-registration, and shared with Hackney Learning Trust in order to ensure that young people have continuous access to educational provision.

The following is strongly recommended.

- Schools should produce a policy including early intervention thresholds with a clear escalation process when a trigger point is reached.
- Identify resources, including human resources to administer and manage the process of managing attendance. Ensure adequate time is allowed to meet the roles in the policy
- Identify an Attendance Lead to act as overall leader and manager (see below).

- Ensure administrative and support staff have clear responsibilities and procedures to follow in order to promote and manage attendance. Ensure they have the time and the permission to follow procedures through.
- Agree a sampling period, usually the previous half-term's attendance for each child. On this basis, categorise each child in the school according to the following thresholds.
- For pupils whose attendance still continues to deteriorate, multi disciplinary discussion needs to take place with regard to child's needs, barriers to education, work already undertaken and whether there are other appropriate providers that can be considered to enable the child to access appropriate education.

7. Roles and responsibilities of School Staff

School roles	Responsibilities
Head teacher	<ul style="list-style-type: none"> • Set challenging targets to meet national averages for the school overall. Ensure strategy is devised to make solid progress towards them. • Appoint the Attendance Lead at a reasonably senior level. Provide sufficient time for Attendance Lead to supervise attendance management and to become involved with poor attenders. Also ensure there is sufficient time to analyse data, liaise with teachers and Local Authority officers. Give the Attendance Lead the full responsibility to lead on whole school policy and strategy. • Receive reports on attendance at whole school, year group and class level. Discuss both strengths and weaknesses publicly and give attendance a high status in the school. Talk personally to teachers whose classes show poor attendance. Encourage these teachers to take responsibility for making improvements. • Take a personal interest in attendance and support intervention with the poorest attenders. • Report statistics to the Attendance Governor and as part of the termly report to governors. Show comparative figures, not isolated statistics. Compare each half-term's figures with those for the previous year at the same time.
School Attendance Lead	<ul style="list-style-type: none"> • Work with the Head teacher to agree relevant internal attendance targets. Monitor attendance weekly and evaluate progress towards the targets. Identify pupils who are likely to jeopardise the school's performance and plan early intervention to avoid bad habits being established. • Monitor attendance at school, year group and class level. Work in strong collaboration with the Head teacher to praise strengths and point out weaknesses. • Ensure there is a clear attendance policy, showing who will do what and at what threshold. • Keep attendance at the forefront of each member of staff's mind. Convince all staff that attendance is their responsibility. • Promote regular attendance, by making use of reward systems, assemblies, parents' evenings, performance reviews, etc. • Involve the governing body, mainly through the Attendance Governor. Seek the support of governors in promoting good attendance. • Supervise administrative staff. Ensure registers are checked daily and that the required action at each threshold level is taken at the earliest moment possible. Discourage any sense of collusion with parents who allow absence without good reason. • Revise strategy to address issues with each individual pupil or family.
Class Teacher / Form Tutor	<ul style="list-style-type: none"> • Do not accept poor attendance. Make 100% attendance the expectation. • Promote regular attendance through rewards and other encouragement. Make it your business and make it clear that poor or erratic attendance is not expected or acceptable. • Ensure that registers are always completed appropriately; never leave blank spaces. Never complete in pencil. Never amend with correction fluid. • Look carefully at attendance data. Make it your business to spot patterns of absence and overall levels of attendance of individuals.

	<ul style="list-style-type: none"> • Make a personal connection with parents of pupils who have regular absence, or patterns of irregular attendance. • Ensure the Head teacher or Attendance Lead is informed of concerns over attendance. • Following absence, do your best to provide catch-up opportunities so absentees do not fall behind. Where appropriate, ask parents to play a part in reinforcing missed learning.
Attendance Administrator	<ul style="list-style-type: none"> • Follow the school's procedures for first day calling. If no explanation has been received by the time registers close, seek one. • Be prepared to be assertive. Parents must explain absence. Explanations need to be plausible. Avoid any sense of collusion with parents over unnecessary absence. • Do not show sympathy over absence unless you are convinced it is genuine. • Issue attendance letters where required. Make sure they have the effect intended. Do not tolerate a lack of response. Seek advice when you need it. • Hold regular discussions with the Attendance Lead. Ensure the system works. If it does not, come up with suggestions to improve it. • Advise the Attendance lead of any teacher who fails to maintain the register properly. Registers are legal documents and must be kept carefully and accurately. • Provide data on weekly basis to class teachers and the school's Attendance Lead. • Make sure the Attendance Lead and/or the Head teacher know about families where bad habits are forming. Make sure action is taken to break bad habits at the earliest opportunity. • Assist the Attendance Lead, Attendance Officer and others in collating data for inclusion in reports, attendance returns, etc. • Check and file all absence notes that are received, and ensure that details are reflected appropriately through categorisation of absence in the registers. • Pass messages from parents efficiently to the class teacher or other relevant member of staff.

8. Shared responsibility between School and Education Attendance Service

- Regular monitoring of attendance levels across whole school, classes, year groups, tutor groups and at individual pupil level, particularly persistent absentees and other vulnerable groups.
- Continued liaison (after referral to EAS) with pupils and families.
- School based strategies and interventions – meetings in school, re-integration programmes, meetings with parents, report and monitoring systems.
- Appropriate categorisation of absence, advised by SAO if necessary
- Maintenance of records relating to contact from parents, submission of notes, telephone contact, medical certificates, change of address etc.
- Attendance Officers to maintain accurate and contemporaneous notes of contact and interventions with pupil and family
- Monitoring of vulnerable groups, especially children in public care, children who are subject to a Child Protection Plan, young offenders, and pupils with high mobility factors.

9. Thresholds

Thresholds	The following are suggested actions at each threshold:
100%>	Reward regular attendance
<95%	<p>Pupils with attendance at, or below, 95% (equivalent to one session missed every two weeks) - Hackney Child Well Being Framework – Universal services</p> <ul style="list-style-type: none"> • For each absence, a designated member of staff makes a telephone call to the family home as early in the day as possible. • Unless a satisfactory explanation has been received, a letter is sent to the parent regretting the absence and asking for an explanation for every session missed. • Ensure appropriate consultation with Hackney Learning Trust School Attendance Officer
<90% PA	<p>Pupils deteriorating to 90% = Persistent Absence threshold. (equivalent to one session missed per week) - Hackney Child Well Being Framework – Universal services Make first day calls as above.</p> <ul style="list-style-type: none"> • Send a standard letter to parent pointing out the deterioration in attendance levels, and that child is now categorised as a persistent absentee. • Remind the parent of the school's target levels for attendance and the negative effect of irregular attendance on learning. Require the parent to provide an explanation and comments. • Keep in contact with parents on a weekly basis. Provide encouragement where improvement has been made. • Ensure appropriate consultation with Hackney Learning Trust School Attendance Officer
<85%	<p>Pupils deteriorating to 85% (equivalent to 1.5 sessions missed per week on average – the previous persistent absence threshold from July 2011) - Hackney Child Well Being Framework – Universal Plus and Universal Partnership Plus.</p> <ul style="list-style-type: none"> • Maintain the approaches set out at the previous thresholds. The Head teacher should be involved and should add weight to any interventions already in place. • Ask parents to attend a meeting in school with Attendance Lead, or with a panel of governors, chaired by the Attendance Lead. Use the meeting to investigate why pupil has missed 1.5 sessions per week on average and is now a persistent absentee. Discuss <ul style="list-style-type: none"> ○ detrimental effect on learning. ○ Warn of likelihood of referral to the Local Authority Attendance Service unless improvement is made. ○ Reach agreements for rapid improvements over the next half term. ○ Remind the parent that full attendance is the aim and that anything less than 95% will cause concern. ○ Consider using a parenting contract between school and parent. ○ Monitor attendance very closely and keep in weekly contact with the parent, either to praise attendance levels or to show ongoing concern. • Referral to the Hackney Learning Trust School Attendance Officer should be considered at this stage.
<80%	<p>Pupils deteriorating to 80% (equivalent to one day or two sessions missed per week) Hackney Child Well Being Framework – Complex / High Risk</p> <ul style="list-style-type: none"> • This was the persistent absence threshold pre-July 2011. • Refer to Hackney Learning Trust School Attendance Officer (if this has not already taken place) and meet to plan action.

10. Analysis of attendance data

- 10.1 All schools should be able to provide data on:-
- Overall and Persistent absence levels
 - Individual pupils, attendance, unauthorised and authorised absence, exclusions, lateness, approved educational activity, dual registration etc (see Appendix 1)
 - Whole school data, in order that key pastoral staff and SAO can agree where resources can be focussed
 - Termly attendance data, submitted to Management Information Services by agreed schedule.
- 10.2 There are a range of evaluation tools available to analyse data and officers from the Education Attendance Service can advise on this. The attendance data may be correlated with data on behaviour in order to identify pupils most at risk.
- 10.3 Links can also be clearly identified with attainment data, which allows for questions to be raised in relation to curriculum. For example,
- How appropriate is the delivery/support in terms of meeting pupils' needs?
 - Are there Special Educational Needs issues which have yet to be investigated?

Appendix 1

National Attendance Codes, Descriptions and meanings

Code	Description	Meaning
/	Present (AM)	Present
\	Present (PM)	Present
L	Late (before registers closed)	Present
	<i>See also code U – unauthorised, if so late registers were closed</i>	
D	Dual Registration (i.e. pupil attending another establishment)	Approved Educational Activity <i>(counts as PRESENT for attendance registration purposes)</i>
B	Educated Off-Site (NOT Dual Registration)	Approved Educational Activity
V	Educational visit or trip	Approved Educational Activity
P	Approved sporting activity	Approved Educational Activity
W	Work experience	Approved Educational Activity
J	Interview	Approved Educational Activity
I	Illness (NOT medical or dental appointments etc)	Authorised absence
M	Medical / Dental appointments	Authorised absence
S	Study leave	Authorised absence
H	Family Holiday <i>(that has been agreed in advance with school)</i>	Authorised absence
F	Extended family holiday <i>(that has been agreed in advance with school)</i>	Authorised absence
	<i>See also code G – Family Holiday (unauthorised – not agreed in advance with school)</i>	
R	Religious observance	Authorised absence
T	Traveller absence	Authorised absence
E	Excluded (no alternative provision made)	Authorised absence
C	Other authorised / exceptional circumstances <i>(not covered by any other appropriate code/description) this includes enforced closure for some pupils</i>	Authorised absence
N	No reason yet provided for absence	Unauthorised absence
U	Late <i>(after registers closed)</i>	Unauthorised absence
O	Unauthorised absence <i>(not covered by any other code/description)</i>	Unauthorised absence
G	Family Holiday <i>(NOT agreed in advance OR days in excess of agreement)</i>	Unauthorised absence
#	School closed to pupils	Not counted in possible attendances
Y	Enforced closure <i>(of whole school)</i>	Not counted in possible attendances
X	Non-compulsory school age absence	Not counted in possible attendances

Appendix 2

Amendment to Pupils Registration Regulations re: severe weather / travel restrictions

An amendment has been made to the pupil registration regulations to add a new exceptional circumstance in which a pupil may be marked as unable to attend on the school attendance register. The amendment is intended to capture circumstances in which pupils are unable get to school because of serious disruption to travel caused by:

- a weather-related emergency, such as snow or flooding
- a natural disaster, such as the impact on air travel of a volcanic eruption
- a health-related emergency, such as restrictions on travel in certain areas related to a foot and mouth outbreak
- travel disruption caused by the rationing or non-availability of fuel.

The amendment sets out the circumstances which would justify schools' use of the relevant attendance code (Y code), without itemising every conceivable kind of emergency that would count as exceptional circumstances. Headteachers should use their discretion about when to apply the Y code, while exercising that judgment within the parameters of the amended regulation.

Appendix 3

Statutory Intervention – Attendance

The Education Attendance Service carries out the Local Authority's legal function to enforce school attendance. The available measures are as follows.

Prosecution of parents under sections 444 / 444 1 (a) of the Education Act 1996

S444 Education Act 1996 states *'if a child of compulsory school age who is a registered pupil at a school fails to attend regularly, his / her parent is guilty of an offence'*. This offence is one of 'strict liability', a legal term that means that the offence is committed whether the parent knew the child was absent or not. It is not a defence to say that the parents have tried everything in their power to get the child to school. The parent's efforts could be raised in mitigation if they were found guilty but would not amount to an outright defence. Defences against s.444 are specific and set out in that section of the Act.

The penalty for the offence is a fine of up to £1,000 for each parent. One of the available defences, absence due to an 'unavoidable cause', only relates to a cause connected with the child.

Under Section 444 (1a) Education Act 1996 as inserted by s72 Criminal Justice and Courts Act 2000, both parents can be prosecuted for an aggravated offence when the child fails to attend school with the parent's knowledge but the parent fails without reasonable excuse to cause the child to attend. This offence carries a maximum fine of £2,500 and/or 3 months imprisonment.

The aggravated offence was introduced after the consultative exercise 'Tackling Truancy Together'. If parents facing the aggravated offence fail to turn up at court it is likely that a warrant for their arrest would be issued.

The possible outcomes following a conviction for the lesser offence are a fine, an Education Supervision Order, Community Order, a Parenting Order, a Conditional Discharge or an Absolute Discharge. For the aggravated offence, a custodial sentence is possible.

School Attendance Orders s.437-443 Education Act 1996

School Attendance Orders (SAOs) are used when a child of compulsory school age is not registered at a school and not receiving suitable education and where the authority believes that the child should attend school. They are not to be used for children who are on the roll of a school. Failure to comply with an SAO will lead to a prosecution under section 443 and is a criminal offence carrying a maximum fine of £1,000 per parent.

Education Supervision Orders s.36 Children Act 1989.

An Education Supervision Order (ESO) gives the LA more control in educating a child of compulsory school age. The LA may apply for an ESO instead of prosecuting the parents for poor attendance. ESOs are 1989 Children Act orders and as such the welfare of the child is paramount. Parents must obey the reasonable directions given under an ESO and persistent failure to comply with reasonable directions is a criminal offence carrying a fine of £1,000.

Parenting Orders.

Magistrates may impose a Parenting Order under s8 Crime and Disorder Act 1998 if this would help prevent further pupil absence. The order will require parents to attend counselling or guidance sessions for up to three months. It may specify other requirements, for example ensuring the child is escorted to and from school for up to 12 months. Non compliance with a Parenting Order can result in a further prosecution by the Police and carries a fine of £1,000 if convicted.

Penalty Notices for parents of Truants.

Subsection (1) of section 23 of the Anti-Social Behaviour Act 2003 introduces penalty notices as an alternative to prosecution. The penalty is £60 if paid within 21 days, rising to £120 if paid within 28 days. The EAS are responsible for the issuing and collections of notices and fines. If the attendance of a child

improves but the fine remains unpaid then the parent must still be prosecuted under section 444 Education Act 1996

Appendix 4.

Term time holidays.

- 1 It is important to note that, as with all absence, it is the Head teacher and Governing Body who decide whether an absence is authorised or not. Holidays in term time are not, under any circumstances, an automatic right. The Local Authority strongly suggests that term time holidays should be discouraged wherever possible, and that the following should be considered.
 - A holiday in term time should be related to exceptional circumstances.
 - That the granting of a request should be linked with an expectation of otherwise full attendance.
 - Only one period of up to 10 days absence in any academic year should be considered.
 - Parents should be informed that any absence taken without permission will be unauthorised and that this could be used by the Local Authority to strengthen a case for Penalty Notice / Prosecution where overall attendance is unsatisfactory.
- 2 Parents should not normally take pupils on holidays in term time. Each request for holiday absence should be considered on its merits and should take account of:
 - the child's stage of education and progress to date;
 - the overall attendance pattern of the child;
 - the time of year of the proposed holiday and its nature (for instance its apparent educational benefit).
- 3 In arriving at an overall policy, schools should bear in mind that a pupil who takes a term-time holiday for 10 days in a single academic year can achieve a maximum of 94.7% attendance, assuming no additional absence.
- 4 In exceptional circumstances, for instance the death of a family member living in another country holidays may be authorised for a period in excess of 10 days. Under these circumstances, schools may delete from their roll any pupil who fails to return within 10 days of the agreed return date¹. However where there is good reason for continued absence this should not be done.

• Pupils Registration Regulations 2006