

West Monmouth School



Attendance Policy

Updated: January 2023

CoG Signature:

West Monmouth School Attendance Policy

The Schools Vision

Regular attendance is directly linked to improved exam performance which in turn leads to further learning opportunities and better prospects for our pupils. It is vital that staff work together with parents and outside agencies to effectively support pupils and their families to ensure regular attendance.

We will provide an environment where all pupils feel valued and welcomed and are committed to the fundamental principle that early intervention and partnership working is crucial in ensuring the attendance, protection and well-being of all children and young people.

The school will follow the All Wales Child Protection procedures and local protocols in relation to specific and identifiable welfare issues that prevent a child or young pupil from accessing education, or where there are safeguarding concerns

School attendance is subject to education law and guidance and this school attendance policy is written to reflect this legislation and the guidance produced by the Welsh Government (WG).

The legislation makes provision for a school day that is to be divided into two sessions with a lunch break in the middle and to be available for at least 190 days in any school year.

The school will review its systems for improving attendance on an annual basis to ensure that it is achieving its set goals and targets as identified by the Governors, Local Authority LA.

Categorisation of Absence

All pupils who are on role but not present in the school must be recorded within one of these categories.

- Authorised Absence
- Unauthorised Absence
- Approved Educational Activity

Unauthorised absence

This is for those pupils where no reason has been provided, or whose absence is deemed to be without valid reason.

Authorised absence

This is for those pupils who are away from school for a reason that is deemed to be valid.

Approved educational activity

This covers types of supervised educational activity undertaken off the school site but with the approval of the school and or the LA.

This would include:

- Work experience placements
- Field trips and educational visits
- Sporting activities
- Link courses or approved education at another venue
- Education arranged by the Child and Adolescent Mental Health Service (CAMHS)

Day to day Operations

First Day Response calls are made by the attendance officer each morning. Vulnerable pupils will be a priority with a central list stored on TEAMS. HOL to ensure that this list is accurate and updated each term.

If a pupil is absent the Attendance officer will contact home by text initially by 10:30am and if this is not responded to, the Attendance officer (along with other pastoral support staff will call parents to ensure reasons for absence are obtained).

Pupils who are absent for three consecutive days without contact should be referred to the Education Welfare Officer for a Welfare Check. This becomes two days for pupils listed on the Child Protection register or deemed vulnerable. The attendance Manager or Pastoral Support Team will call parents of CP pupils or vulnerable pupils on the first day of absence.

Parents need to be aware that it is their responsibility to ensure that they communicate with the school daily regarding pupil absence.

Parents need to register on the new Schoolgateway system. This can be accessed by both smart phones and computer. This will ensure efficient communication with WMS. There is also a dedicated absence line where you can leave a voicemail.

The day to day running of all electronic registers and administration duties will be carried out by the Attendance Manger.

Unauthorised Absence Process

The Attendance officer will identify pupils who are absent without contact from parents/carers and text home.

If contact not received the Attendance Manager/Pastoral Support officer will phone home.

3 x Subsequent days absence without contact to be referred to EWS this reduces to 1 day for those pupils listed as vulnerable.

Pupils previously marked present but missing from lesson to be raised with the attendance manger/missing group by the classroom teacher.

Registration staff and HOL to follow up any unauthorised absences.

Term Time Holidays

Holidays during term time is strongly discouraged. Parents and carers do not have the automatic right to withdraw their children from school for an annual holiday and will be reminded of the effect that absence can have on a pupil's potential achievement and overall attendance.

The Headteacher may authorise holidays at their discretion and will only agree to authorise the absence in exceptional circumstances; parents and carers must apply in advance for permission. **If the holiday is not granted by the Headteacher, the parent may be issued with a Fixed Penalty Notice.**

Examples of exceptional circumstances include:

- Parent working abroad for a fixed, medium term period;
- Family are returning to country of origin;
- Parent returning from active tour of duty.

Punctuality

Morning registration will take place at the start of school at 8:45am. The registers will remain open for a maximum of 30 minutes, in accordance with WG guidance. Any pupil arriving after this time will be marked as having an unauthorised absence (code U) unless there is an acceptable explanation i.e. school transport was delayed. In cases where the absence at registration was for attending an early morning medical appointment, the appropriate authorised absence code will be entered. Pupils arriving after the start of school but before the end of the registration period will be coded as late (L). Afternoon registration will be at the end of the appropriate lunch break and any pupil arriving after will be marked as having an unauthorised absence (code U) unless there is an acceptable explanation.

Red card detention will be issued to every pupil who arrives after 8:25am. After school detention is issued to pupils who arrive after 8:45am. Parents of pupils who are persistently late will be contacted and informed that their children will have a day in R2L for further regular lateness.

Long Term Absenteeism Provision

Welsh Government defines persistent absence as pupils whose absence level is more than 20% (80% attendance). These pupils will be subject to an action plan to support their return to full attendance.

The action plan will include engagement with relevant agencies that can support the pupil's attendance. If alternative provision is identified either on site or from an external provider. i.e. these areas and should be a recorded action from the meeting.

At this point the following should be already be in place:

- Ensuring the EWO is aware and the attendance pathway is being followed
- If the pupil is ALN ensuring that the ALNCo is aware of the provision being provided and their advice sought and followed
- If an ALN pupil's attendance does not improve the local authorities ALN link officer, should be notified at the earliest opportunity
- Torfaen Outreach referral may also be appropriate at this point

If a modified day is part of a pupil's reintegration plan, a modified day form must be completed. This must then be sent to the local authorities ALN link officer and the schools attendance officer. Modified days need review 14 days after the start date this must be diarised and planned in advance.

Emerging Attendance Concerns

The head of learning (or a delegated person) will meet on a fortnightly basis to identify any emerging attendance concerns. In cases where a pupil begins to develop a pattern of absences, the school will try to resolve the problem as soon as possible, by communicating with parents and following the schools graduated response. (appendix 1).

Fixed Penalty Notices

Fixed Penalty Notices may be considered appropriate when:

- **At least 10 sessions (5 school days) are lost due to unauthorised absence** during the current academic year. These do not need to be consecutive;
- Unauthorised absences of at least 10 sessions (5 school days) due to holidays in term time or delayed return from extended holidays; or
- Persistent late arrival at school, i.e. after the register has closed, in the current term. "Persistent" means at least 10 sessions of late arrival;
- Truancy, where the child has come to the attention of the Police or public during school hours for being absent from school, without an acceptable reason.

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Appendix 1 – Graduated Response to Attendance Concerns

Stage 1

- **Head of Learning** identifies pupils whose attendance is a concern below 90% from ROC.
- **Form Tutors/PSO** speak to all below 90% pupils who fall for a second time (Over two weeks).
- **Head of Learning /PSO** makes home contact via phonecall about this attendance concern.

Stage 2

- **Head of Learning and PSO** identifies pupils whose attendance still does not improve. (Falls for a second time)
- Home contact by **PSO** via Letter 1 (Letter Emailed and text sent to says its sent)
- Pupils participate in an attendance circles run by **form tutor** during assembly times

Stage 3

- No improvement / deterioration after fortnightly review, additional unauthorised absences, lack of evidence or professional concerns
- **PSO** Home contact via Letter 2 / email and text)
- Parental meeting with **HOL and Action Plan agreed**
- Necessary agency referrals made
- Modified internal provision considered
- External alternative provision considered

Stage 4

- No improvement / deterioration after fortnightly review, additional unauthorised absences, lack of evidence or professional concerns. Action Plan review meeting to be held with parent. SLT / Attendance Manager

Stage 5

- **PSO/HOL** identifies pupils whose attendance has fallen below again/further missed days.
- SLT/Attendance Officer refer the case to the EWS.

Stage 6

- EWS to work with family so th pupil can attend school every day, with no more missed time days help prevent a prosecution.

Appendix 2 - Fixed Penalty Notice Legal Framework

Processes may deviate from the above in certain circumstances such as: safeguarding concerns and emergency wellbeing referrals.

1.0 Legal Framework

1.1 The law empowers designated Local Authority (LA) Officers, head teachers, including their nominated deputies and the Police to issue Fixed Penalty Notices to the parents of children who have unauthorised absence from schools that fall within the South East Wales Consortium (SEWC) area.

- The rules governing the implementation of these powers and the factors that should be taken into account when issuing a Fixed Penalty Notice are outlined In:
- The Education Act 1996;
- The Education & Inspections Act 2006;
- The Education (Penalty Notices) (Wales) Regulations 2013

2.0 Rationale

2.1. Section 7 of the Education Act 1996 states that:

“The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable to his age, ability aptitude and to any special educational needs he may have, either by regular attendance at school or otherwise”

2.1.1. Regular and punctual attendance at school or alternative provision is a legal requirement and is essential to enable children to maximise their educational attainments and opportunities available to them.

2.1.2. Evidence shows that children with poor attendance are unlikely to succeed academically and they are more likely not to be in education, employment or training (NEET) when they leave school. NEET young people are likely to have a history of non- attendance and persistence absences in years 10 and 11.

2.1.3. Section 444 of the Education Act 1996, makes it a criminal offence for a parent's failure to secure their child's attendance at the school at which they are registered and where absences are not authorised.

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

2.1.5. Targeted intervention plays a vital role in resolving issues of poor school attendance, however where this fails to have the desired effect there are a number of sanctions available to Local Authorities (LAs) to try and secure improvements.

2.2. Fixed Penalty Notices are one of the sanctions available for this offence and offer a means of suitable and effective intervention for improving levels of unauthorised absences, before they become entrenched and persistence absences, whilst reducing the need for lengthy and costly prosecutions.

2.3. Fixed Penalty Notices and other sanctions will only be used where parental co-operation with this process is either absent or deemed to be insufficient to resolve the problem. They will

be used as a means to support parents to meet their legal responsibilities and only where there is a reasonable expectation that their use will secure improved school attendance.

Issue of a Fixed Penalty Notice

- A Fixed Penalty Notice can only be issued in cases of unauthorised absence;
- Fixed Penalty Notices will be restricted to one notice per parent of a pupil in an academic year;
- In cases where there is more than one poorly-attending pupil in a Notices may be issued for more than one child;
- There will be no restriction on the number of times a parent may receive a formal warning of a possible Fixed Penalty Notice

Fixed Penalty Notices may be considered appropriate when:

- At least 10 sessions (5 school days) are lost due to unauthorised absence during the current academic year. These do not need to be consecutive;
- Unauthorised absences of at least 10 sessions (5 school days) due to holidays in term time or delayed return from extended holidays; or
- Persistent late arrival at school, i.e. after the register has closed, in the current term. "Persistent" means at least 10 sessions of late arrival;
- Truancy, where the child has come to the attention of the Police or public during school hours for being absent from school, without an acceptable reason.

With regard to a request from a school for a Fixed Penalty Notice linked to a holiday related unauthorised absence, a LA will only issue a Notice where the school has provided the necessary paperwork and evidence. This paperwork should comprise:

- A copy of newsletter or letter sent to all parents during the current academic year which clearly states that parents may receive a Fixed Penalty Notice for an unauthorised holiday in term time. (The LA will not need a hard copy of this newsletter/letter each time a school applies for an unauthorised holiday Fixed Penalty Notice, just on the first occasion each academic year);
- A copy of the holiday request form submitted by a parent, and a copy of the response sent to the parent by school. In the event of the holiday request is being denied the school's response should state the reason why the holiday is unauthorised and should again advise the parent that they may receive a Fixed Penalty Notice if they take their child out of school;
- A copy of the letter sent by school to the parent advising that the school has referred the matter to the LA and that a Fixed Penalty Notice may be issued;
- Signed registration certificate from the Head Teacher or their nominated deputy confirming that non-attendance during the period was unauthorised;

Considerations and Assessment as to whether a Fixed Penalty Notice should be issued

Head Teachers, their nominated deputies and the Education Welfare Service (EWS) will consider the following when determining whether a Fixed Penalty Notice should be issued:

- Level of absence;
- Any Equalities considerations relating to the child or family (as listed in the Council's Strategic Equality Plan);
- Any Special Educational Needs and or Additional Learning Needs (ALN). LAs should consider whether attendance problems may be related to a pupil's ALN. Schools should be able to demonstrate that they have made appropriate provision for the pupil's needs, which may include consideration to support through School Action, School Action Plus or in collaboration with the LA, carry out a statutory assessment.
- History of the attendance issues and action taken;
- Welsh Government (WG) Guidance;
- Likely effectiveness of Fixed Penalty Notice as a tool for obtaining compliance;
- Level of parent engagement/cooperation;
- Any substantial adverse effect a fine will have on the welfare of the family.

Procedure for Issuing Fixed Penalty Notices

The designated officer(s) within the EWS will be the only individuals permitted to issue Fixed Penalty Notices, which will ensure consistent and equitable delivery and allow schools to maintain good relationships with parents and ensure that they reinforce any other enforcement sanctions.

Fixed Penalty Notices will never be issued as an instant action, e.g. during a Truancy Sweep. This will enable officers to ensure that all evidential requirements are in place and limit the health and safety risks to individuals.

Requests for issue of a Fixed Penalty Notice

Where schools, Police or neighbouring LAs request the issue of a Fixed Penalty Notice, their request will be investigated and actioned by the EWS, provided that:

- The circumstances of the case meet the criteria specified in this Code of Conduct;
- The pupil is registered within a school within the SEWC area;
- All necessary evidence is provided to the EWS to establish whether an offence under Section 444(1) or 444(1A) of the Education Act 1996 or Section 108 of the Education and Inspections Act 2006 has been committed;
- Issuing a Fixed Penalty Notice would not conflict with another intervention strategy already in place or another enforcement sanction already being processed and there is a reasonable expectation that the use of a Fixed Penalty Notice would improve the child's school attendance.

Appendix 3 - Fixed Penalty Protocols and Procedures

Responding to requests for the issuing of a fixed penalty notices

Following the warning notice issued by the school or Police, parents have a period of 15 school days within which to respond. During this time, the pupil must have no unauthorised absence. This information can be included in the formal written warning letter, where one has been issued.

The EWS will respond to all requests from schools or Police within 10 school days of receipt of a request. When satisfied that all of the relevant criteria have been met the LA will then issue a fixed penalty notice.

Fixed Penalty Notices for unauthorised holidays.

Where the requested Fixed Penalty Notice is in response to a holiday related unauthorised absence, or is in relation to an offence under section 108 of the Education and Inspections Act 2006, the formal warning letter and 15day improvement period will not apply.

Monitoring and Review

All Fixed Penalty Notices will be entered onto a database maintained by individual LAs to ensure that no duplicate Fixed Penalty Notices are issued and to evaluate the effectiveness of the process.

Excluded Pupils

The basis of the fixed penalty notice powers, do not extend to excluded pupils. Section 108 of the Education and Inspections Act 2006 came into force in October 2010 and amends section 16 of the Crime and Disorder Act 1998 to extend Police powers for the removal of excluded pupils to designated premises, if a child or young person excluded from school is found in a public place in a specified area during a specific period and during school hours.

Procedure for the Withdrawal of Fixed Penalty Notices

Once issued, a Fixed Penalty Notice can only be withdrawn if the EWS is satisfied that:

- The Fixed Penalty Notice was issued to the wrong person;
- The use of the Fixed Penalty Notice did not conform to this Code of Conduct;
- The Fixed Penalty Notice was delivered to the wrong address;
- The circumstances of the case warrant its withdrawal (reasonable justification).

Right of Appeal

There is no statutory right of appeal, but where a parent contests the issuing of a Fixed Penalty Notice, they can submit any complaints to the EWS and/or opt to face proceedings in the Magistrates' Court under section 444 of the Education Act 1996, where all of the issues relating to their Fixed Penalty Notice can be fully debated heard.

Payment of Fixed Penalty Notices

Arrangements for payment will be detailed on the Penalty Notice. Payment of a Fixed Penalty Notice discharges the parent's liability for the period in question and they cannot subsequently be prosecuted under other enforcement powers for the period covered by the Fixed Penalty Notice.

If the Fixed Penalty Notice is paid within 28 days, the penalty payable is £60, or £120 if within 42 days. Payments will not be accepted from parents after 42 days has elapsed and cannot be paid either by instalments.

Individual LAs will only be able to retain enough revenue from the Fixed Penalty Notices, to cover administration costs for the process of issuing Fixed Penalty Notice, the surplus is to be surrendered to the Welsh consolidated fund.

Non-Payment of Fixed Penalty Notices

Non-payment of a Fixed Penalty Notice will result in prosecution for the period covered by the Fixed Penalty Notice under Section 444 of the Education Act 1996.

Equalities and Welsh Language

The issuing of Fixed Penalty Notices must comply with other related legislation and regulations, in order to ensure that they are used in a fair and consistent manner and have paid due regard to the circumstances of the child/children and families involved. These include, but are not limited to the following:

- Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011
- Welsh Language (Wales) Measure 2011
- Human Rights Act 1998

Councils' Strategic Equalities Plan covers the full range of issues that may need to be considered, depending on the individual case.

ADVISORY LETTER FOR PARENTS

(which can be issued by Head teacher or Senior EWO)

Dear (Parent name)

Name of pupil:

Date of birth:

Date:

I have reviewed your child's attendance record and am concerned to note that he/she has incurred at least 10 sessions (5 school days) of unauthorised absence in the last 50 sessions (25 school days).

I enclose a copy of your child's attendance record and remind you that as a parent/carer of a child who is a registered pupil at this school, you have the legal responsibility for ensuring your child attends regularly.

All schools share the Welsh Government's determination to raise levels of pupil attendance and achievement in order to ensure the best possible start in life for our children.

Under the Antisocial Behaviour Act 2003, the Local Authority has the power to issue parents/carers with a Fixed Penalty Notice for each of their children, who fail to attend school regularly.

A Fixed Penalty Notice is an early deterrent intended to prevent more extended periods of unauthorised absence developing and incur a fine of £120, reduced to £60 if paid within 28 days of the notice being served. Failure to pay a penalty notice will result in prosecution under the Education Act 1996.

Following this warning notice, parents/carers have a period of 15 school days within which to respond. During this time, the pupil must have no unauthorised absence. I can therefore advise you that the school will be closely monitoring your child's attendance from the date of this letter and should any further unauthorised absence occur, consideration will be given to the issue of a Fixed Penalty Notice.

Support and guidance regarding attendance is available from school or the Local Authority, however should you have any specific queries in relation to this letter, please contact me on the above telephone number.

Yours sincerely,

.....

**FIXED PENALTY NOTICE
UNAUTHORISED HOLIDAY CHECKLIST**

1. Who has parental responsibility over the pupil? Please name the person who has day to day care if different:

Parental Responsibility.....

Day to Day care.....

2. Has the period of absence meant the pupil has missed at least 10 school sessions?

Yes/ No

3. Has the parent named in response to question 1 previously received a Fixed Penalty Notice?

Yes/No

If yes please give details:

.....
.....
.....

4. Was a request made to the school by the parent for holiday leave during the period you wish to issue a Fixed Penalty Notice for?

If 'yes' what was the reason for refusal? Please attach copies of the correspondence exchanged.

If 'no' please explain why an unauthorised holiday is suspected.

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5. What is the pupil's attendance history?

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Appendix 5 -FPN Unauthorised Holiday Checklist

6. Does the pupil have any Special Educational Needs (SEN) and is s/he maintained on a Statement of SEN?

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7. Does the pupil have a Disability under the Equality Act 2010?

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8. What is known of the pupil's personal circumstances?

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9. Are there any exceptional circumstances that the Council should be aware of?

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.....

10. Has the pupil had a previous holiday or long period of absence in the academic year the unauthorised holiday was taken in?

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11. Has parent been in contact with the school in relation to the absence?

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12. Has SEWC's Code of Conduct been considered?

.....

.....

Appendix 6 -FPN Unauthorised Holiday

Registered pupil at:School

Pupil Details:

Name:MALE/FEMALE

D.O.B.

Address:

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.....

Postcode:

Telephone No:

Mobile No:

Parent/Carer

Name:

Address (if different from above):

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Postcode:

Telephone No:

Mobile No:

Name:

.....

Address (if different from above):

.....

.....

Postcode:

Telephone No:

Mobile No:

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|---|
| Appendix 6 -FPN Unauthorised Holiday |
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Dates of Absence:

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The above-named pupil was absent from school on the following dates and are recorded in the school register as unauthorised. (Please attach a registration certificate showing the period)

Declaration

I am the Head teacher/Acting Head Teacher of the School named. I certify that this holiday request has been considered in line with the School Attendance Policy. To the best of my knowledge there are no exceptional circumstances to consider.

Did parents request authorisation prior to holiday: Yes / No.

School response in writing to decline authorisation of holiday: Yes / No.

PLEASE ATTACH COPIES OF ALL CORRESPONDENCE.

Name:

Signature:Date:

Appendix 7 -FPN Request Unauthorised Absence

FIXED PENALTY NOTICE REQUEST

UNAUTHORISED ABSENCE - Section 444, Education Act 1996

Information contained in the form will be used in legal action under the above Act relating to non-attendance at school in the event that an Education Penalty Notice is issued and remains unpaid. I request that the Local Authority consider issuing a Penalty Notice to the parent(s)* of the following pupil:

Pupil Details

Registered School.....

Name of Pupil DOB Year

Address.....

.....

Parent 1

Full name DOB.....

Address.....

Parent 2

Full name.....DOB.....

Address.....

The expression "parent", in relation to a child or young person, includes any person who is not a parent of the child but who has parental responsibility for him or her, or who has care of the child.

In making this request, I confirm that such action would not conflict with other intervention strategies already in place or other enforcement measures already being processed. I can also confirm that the governing body of this school has reviewed its attendance policy and agreed that this school will request the Local Authority to issue a Fixed Penalty Notices in appropriate cases.

How has the parent been contacted regarding the unauthorised absences?

School Meeting Letter Telephone Call

Is the family known to other Services, eg: Children's Services, YOS, CAMHS?

Yes / No

Are there any notable circumstances to consider, eg: mental health, bereavement, family dynamics/domestic violence? Yes / No

If yes, please give full details:

Signed Designation Date:.....

Please enclose an up to date registration certificate.

FIXED Penalty Notice [S.444A EDUCATION ACT 1996]

Please read the notes below carefully.

Part 1

If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school, or fails to attend regularly at alternative provision, the child's parent/guardian is guilty of an offence under s.444 Education Act 1996.

To: (Title)

(Forenames)

(Surname)

Of: (address)

(Postcode)

You are a parent/guardian of (name and address of child) (called in this notice "the pupil") who is a registered pupil at (name of school) and has been directed to attend alternative provision/ is not registered at a school but for whom the local authority has made arrangements to attend alternative educational provision.

On (date/dates)/ between (date) and (date) the pupil (name) failed to attend regularly at the (Name of) school. This notice gives you the opportunity to pay a penalty fine instead of being prosecuted for the offence given above. The amount of the penalty is £60. If you pay this penalty within the time limits set out below, no further action will be taken against you in connection with the offence as set out in this notice.

Payment should be made within 28 days. If paid after 28 days but within 42 days the penalty is doubled to £120. Payment should be made to **insert office details** for payment and can be made in person during office opening hours, **insert opening hours** or by posting this notice with a cheque or postal order.

Late or part payments will not be accepted and no reminders will be sent. If payment is not received by (insert date 42 days from date of issue), you will be prosecuted for the offence and could be subject to a fine of up to £2,500.

This notice is issued by **name, official particulars of the post** within **insert name of LA**.

Date of issue:

Appendix 8 – Penalty Request Proforma Part 2

Please complete the following and return this notice with your payment to:

Insert Name & Address of LA

Name:

Address:

I attach payment in the sum of £.....

Signed:

Date:

NOTES

Contact details

If you have any queries about this notice, please contact ***insert contact details, job title and department of contact, telephone number, fax number and address***

Amount of penalty

The amount of the penalty is as follows:

If paid within 28 days £60 If paid within 42 days £120.

Code of conduct

This notice is issued in accordance with a local code of conduct (we should include the full title together with its date or Edition) drawn up by The South East Wales Consortium and ***insert L A***. Any questions or correspondence about the code should be addressed to ***name of contact, department within authority address and telephone phone number.***

Withdrawal

This notice may be withdrawn by ***inset LA name*** if it is shown that it should not have been issued to you or has not been issued to you in accordance with the SEWC code of conduct. If you believe that the notice was wrongly issued you must contact The issuing Local Authority as soon as possible to ask for it to be withdrawn, stating why you believe the notice to have been incorrectly issued.

The issuing Local Authority will consider your request and contact you to let you know whether the notice is withdrawn. If the notice is not withdrawn and you do not pay, you will be liable to prosecution for the offence.

Payment

You should complete the notice above and send or deliver it to the address given above.

Prosecution

If you do not pay the penalty, and the notice is not withdrawn, you will be prosecuted for the offence of failing to ensure your child's regular attendance at school.

You will receive a separate summons for this which will give you notice of the time and date of the court hearing. You will be able to defend yourself and you would be advised to seek legal representation.

Appendix 9 – Legislation

Relevant legislation that relates to Fixed Penalty Notices includes:

The Children Act 1989

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

The Education Act 1996

Section 7 Duty of parents to secure education of children of compulsory school age;

Section 8 Definition of compulsory school age;

Section 444(1) Offence: Failure to secure regular attendance at school of registered pupil;

Section 444A Penalty notice in respect of failure to secure regular attendance at school of registered pupil;

Section 444B Penalty notices: supplemental;

Section 444ZA Application of section 444 to alternative educational provision

Section 576 Meaning of “parent”

Education & Inspections Act 2006

Section 108 Duty of parent in relation to excluded pupil.

Appendix -10 Absence Request Form

WEST MONMOUTH SCHOOL ABSENCE REQUEST FORM

Form to be returned to the school office with a minimum of two weeks' notice

Please note that there is no automatic right for pupils to be granted authorised leave of absence and requests will only be considered where there are exceptional circumstances.

| | |
|---|--------------|
| Name of Pupil: Date of Birth: | Class: |
| Please detail below the exceptional circumstance why you are requesting to take your child out of school. You may be invited into school to discuss your request with the <i>please insert appropriate member of SLT.</i> (Please attach your supporting evidence) | |
| Address: | |
| Leave of absence from date: to date Number of school days that your child will be absent from school: | |
| Signature: Name of Parent/Carer: | Date: |

Leave of absence which has not been agreed will be marked as unauthorised. These may be referred to the Education Welfare Officer for consideration which could result in a Penalty Notice.

For School Use:

| | |
|--|--------------------------|
| Previous requests for leave of absence | Yes/No Attendance% |
| Evidence provided for exceptional circumstance | Yes/No |
| Arrange to meet with Parent/Carer | Yes/No Date & Time..... |

Authorised

☐

Unauthorised

☐

By Headteacher

Appendix 11 - Authorised Exceptional Leave of Absence Standards

TO THE PARENTS OF:

Dear Parents

Thank you for your recent leave of absence request form.

I write to confirm that on this occasion I am able to authorise our child's leave of absence.

Requests for leave of absence are never taken lightly and in making this decision I have accepted your reason and evidence for the exceptional circumstance.

Yours sincerely,

Emma Jordan

Headteacher

cc Class Teacher/File

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|--|
| Appendix 12 - Request for Authorised Absence Refusal Letter |
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TO THE PARENTS OF:

Dear Parents

Thank you for your recent leave of absence request form.

On this occasion I am not able to authorise your child's leave of absence.

If you decide to go ahead with your proposed leave of absence, this absence will be marked as unauthorised. I should inform you that unauthorised absences for holidays are referred to the Education Welfare Officer who will consider issuing you with a Penalty Notice in relation to these absences, following a request to do so from myself.

Emma Jordan

Headteacher

cc Class Teacher/File

Appendix 13 – Graduated Response Attendance Letter 1

Date :

Dear Parent/Guardian of :

Re: School attendance concerns

| Pupil name | Form | Attendance (%) |
|------------|------|----------------|
| | | |

I would like to advise you that your child's school attendance is a cause for concern. A key part of Torfaen's Strive for 95%+ strategy is keeping you informed of your child's attendance and the category into which they fall.

We will be closely monitoring their attendance for the next two weeks and if there is no significant improvement then a meeting will be arranged to develop an Attendance Action Plan (AAP) to work towards this.

Parents/Guardians have a responsibility to ensure their child attends school and in not doing so, this may lead to prosecution. As a school we are keen to work with parents/guardians to resolve any problems so please contact me on 01495 762080 or by email at ****.*****@WMS.schoolsedu.org.uk to raise or discuss any issues or concerns you may have.

Yours sincerely,

Head of Year

Appendix 14 – Graduated Response Attendance Letter 2

Dear Parents/Guardian of:

Re: School Attendance – Parental Meeting

| Pupil name | Form | Attendance (%) |
|------------|------|----------------|
| | | From To |
| | | |

We have contacted you before with our concerns over *****s school attendance. We have been closely monitoring and reviewing ***** attendance and we are becoming increasingly concerned that there appears to be no significant improvement. I am sure you will appreciate that regular attendance is essential for your child's education and is also a legal requirement.

Therefore we would like to invite you to an Attendance Meeting at school on ***** so that we can discuss our concerns and complete a school action plan in order to improve attendance. Failure to attend this meeting may result in a referral to the Education Welfare Service.

If you have any questions regarding the above, please do not hesitate to contact me on 01495 762080 or by email at *****.*****@wms.schoolsdu.org.uk

Yours sincerely

Head of Year

Mrs Holborn Attendance Lead

Appendix 15 -Attendance Codes

| CODE | DESCRIPTION | MEANING |
|----------|--|-------------------------------------|
| / | Present (AM) | Present |
| \ | Present (PM) | Present |
| B | Educated off site (NOT Dual registration) | Approved Education Activity |
| C | Other Authorised Circumstances (not covered by another appropriate code/description) | Authorised absence |
| D | Dual registration (i.e. pupil attending other establishment) | Approved Education Activity |
| E | Excluded (no alternative provision made) | Authorised absence |
| F | Extended family holiday (agreed) | Authorised absence |
| G | Family holiday (NOT agreed or days in excess of agreement) | Unauthorised absence |
| H | Family holiday (agreed) | Authorised absence |
| I | Illness (NOT medical or dental etc. appointments) | Authorised absence |
| J | Interview | Approved Education Activity |
| L | Late (before registers closed) | Present |
| M | Medical/Dental appointments | Authorised absence |
| N | No reason yet provided for absence | Unauthorised absence |
| O | Unauthorised absence (not covered by any other code/description) | Unauthorised absence |
| P | Approved sporting activity | Approved Education Activity |
| R | Religious observance | Authorised absence |
| S | Study leave | Authorised absence |
| T | Traveller absence | Authorised absence |
| U | Late (after registers closed) | Unauthorised absence |
| V | Educational visit or trip | Approved Education Activity |
| W | Work experience | Approved Education Activity |
| X | Un-timetabled sessions for non-compulsory school-age pupils | Not counted in possible attendances |
| Y | Enforced closure | Not counted in possible attendances |
| Z | Pupil not yet on roll | Not counted in possible attendances |
| # | School closed to pupils | Not counted in possible attendances |