

# St Bernadette Catholic Primary School



## Attendance Policy

<b>Version</b>	1.5
<b>Based on Model Policy:</b>	Hertfordshire Model policy on attendance, September 2024
<b>Name/Title of responsible committee/individual:</b>	Headteacher
<b>Date issued:</b>	October 2024
<b>Review frequency:</b>	Annual
<b>Target audience:</b>	Staff, parents and governors

*Our Mission Statement, “**learning to grow in knowledge, faith and love through friendship with Jesus and Mary**”, underpins all that we do at St Bernadette Catholic Primary School.*

The Governing Body shall conduct the School with a view to promoting high standards of educational achievement.

St Bernadette Catholic Primary School is committed to eliminating discrimination, advancing equality of opportunity and fostering good relations between different groups. These factors were considered in the formation and review of this policy and will be adhered to in its implementation and application across the whole school community. We recognise the strong connections between attendance, attainment, safeguarding and wellbeing.

The School will promote the Gospel values together with the values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs. Staff and governors will actively challenge pupils, colleagues or parents expressing opinions contrary to fundamental British Values, including ‘extremist’ views.

<b>Version</b>	<b>Date</b>	<b>Notes</b>
V1.0	November 2017	
V1.1	October 2019	
V1.2	October 2021	
V1.3	October 2022	

V1.4	October 2023	
V1.5	September 2024	

## **Purpose**

St Bernadette Catholic Primary School recognises that positive behavior and good attendance are essential in order for pupils to get the most of their school experience, including their attainment, wellbeing and wider life chances. The law entitles every child of compulsory school age to an efficient, full-time education suitable to their age, aptitude, and any special educational need they may have. It is the legal responsibility of every parent to make sure their child receives that education either by attendance at a school or by education otherwise than at a school. Parents have an additional legal duty to ensure their child attends school regularly, on time. This means their child must attend every day that the school is open, except in a small number of allowable circumstances such as being too ill to attend or being given permission for an absence in advance from the school.

## **Policy**

The quality of teaching and learning delivered at St Bernadette Catholic Primary School does not benefit pupils if they are not present. In order that pupils can take full advantage of the education we provide, the school will work closely with parents to ensure that all pupils attend school regularly and on time, and will take appropriate action to deal with any problems which may affect full attendance.

The school believes that helping to promote a pattern of regular attendance is everybody's responsibility: parents, pupils and all members of school staff.

## **Registers**

Registers are taken at the beginning of each morning and afternoon session using the national set of symbols as advised by the Department for Education (Appendix 1). The registers will record whether each pupil is present; attending an approved educational activity; absent; or unable to attend due to exceptional circumstances. For absences of children of compulsory school age, the register will also indicate whether the absence has been authorised by the school.

The morning register opens at 8.40am and closes at 9.30am.

The afternoon register opens at 1.15pm and closes at 1.20pm.

Pupils arriving late (after 9am) but whilst the register is still open, will be marked as 'late' but statistically counted as present for that session. (Code L). Pupils arriving after the register has closed and without a satisfactory explanation for the lateness are marked as 'unauthorised absent' for that session (Code U).

When a pupil arrives late having missed registration, his/her presence on site should be noted in a book in the school office for purposes of emergency evacuation, etc.

## **Absence from school**

Any absence affects the routine of a child's schooling and regular absence will seriously affect their learning journey and ability to progress. Ensuring a child's regular attendance at school is a parental responsibility and allowing absence from school, without good reason, created an offence in law and may result in prosecution. When the reason for a pupil's absence cannot be established at the beginning of a session, the absence will be recorded as unauthorised and any subsequent correction to the register made as soon as practicable after the reason for the absence has been established.

Where children are absent from school, the school will follow up to:

- ascertain the reason;
- ensure the proper safeguarding action is taken; and
- identify whether the absence is approved or not (see Appendix 2).

It is for the school – not the parent – to determine whether or not an absence is approved and it should be noted that the Headteacher does not have authority to grant any leave of absence during term time unless there are exceptional circumstances. It follows that the taking of family holidays during term time is strongly discouraged and the Headteacher's discretion to authorise such absences will not be exercised in the case of holidays, unless there are genuine exceptional circumstances. If in exceptional circumstances leave is granted, the Headteacher will stipulate the number of school days the child can be away from school.

### Re-integration

If any child is reluctant to attend school he/she and the parents/carers will be supported by the school to address the underlying reasons with a view to ensuring a swift return to school.

Long-term absentees (persistent absenteeism), are children who miss 10% or more schooling across the school year for any reason; this can be authorised or unauthorised absence. Children will be intensively supported in their return to school in partnership with parents and the appropriate professionals required.

### Celebrating excellent attendance

Excellent attendance will be celebrated

- by acknowledging at "Roll of Honour" Assembly, on a weekly basis, the classes in KS1 and KS2 with the highest percentage attendance
- through the award of Herts County Council certificates for 100% attendance at the end of the school year.

### Addressing poor attendance

Where there are concerns about a pupil's punctuality or attendance, the school will first contact the parents/carers to discuss the reasons and agree a plan for improvement.

#### *Attendance Improvement Officer*

If poor attendance persists, this will be reported to the Attendance Improvement Officer (AIO). A pupil will be identified as a persistent absentee if overall absence equates to 10% or more of possible sessions, whether the absences are authorised or not<sup>1</sup>.

The school will notify the AIO of any pupils of compulsory school age who fail to attend school regularly, have irregular attendance, or have ten or more consecutive school days' absence without the school's permission.

### School Attendance and the Law

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<sup>1</sup> If a pupil's absence has been authorised by the school, the LA cannot cite that absence as evidence of non attendance under Section 444 of the Education Act 1996

New legislation was passed, The School Attendance (Pupil Registration) (England) Regulations 2024 which introduced a National Framework in England. By law all children of compulsory school age must receive an appropriate full-time education (Education Act 1996). Parent/Carers have a legal duty to ensure their child attends school regularly at the school at which they are registered. Parent/Carers may be recognised differently under education law, than under family law. Section 576 of the Education Act 1996 states that a 'parent', in relation to a child or young person, includes any person who is not a parent (from which can be inferred 'biological parent') but who has parental responsibility, or who has care of the child. A person typically has care of a child or young person if they are the person with whom the child lives, either full or part time and who looks after the child, irrespective of what their biological or legal relationship is with the child.

### National Framework for Penalty Notices

It should be noted that, as part of promoting good attendance and punctuality, Hertfordshire Council will use its legal powers to enforce school attendance where this becomes problematic, including powers to prosecute parents who fail to comply with a school attendance order (Section 443 of the Education Act 1996) or failure to ensure their child's regular attendance at school (Section 444 of the Education Act 1996). The use of legal action is outlined in Appendix 3.

### Penalty notices

There is now a single consistent national threshold for when a penalty notice must be considered by all schools in England, of 10 sessions (usually equivalent to 5 school days) of unauthorised absence within a rolling 10 school week period. The 10 sessions of absence do not have to be consecutive and can be made up of a combination of any type of unauthorised absence (G, O and/or U coded within the school's registers). The 10-school week period can span different terms, school years or education settings. Sanctions may include issuing each parent (for each child) with a Penalty Notice for £160, reduced to £80 if paid within 21 days (for the first offence). A second Penalty Notice issued within a three-year period will result in a fine of £160 per parent, per child. If a third offence is committed the matter may be referred to the local authority for consideration of prosecution via the Magistrates Court. If prosecution is instigated for irregular school attendance, each parent/carer may receive a fine of up to £2500 and/or up to 3 months in prison. If a parent/carer is found guilty in court, they will receive a criminal conviction. See Appendix 3- Local Code of Conduct.

**There is no entitlement in law for pupils to take time off during the term to go on holiday or other absence for the purpose of leisure or recreation, or to take part in protest activity in HCC SAPT Statutory Attendance – Support First Model Attendance Policy September 2024 school hours. In addition, the Supreme Court has ruled that the definition of regular school attendance is “in accordance with the rules prescribed by the school.”**

### Removal from Roll

There are strict grounds as to when pupils may be removed from the admissions register<sup>2</sup>. When the school has decided to delete a pupil's name from the admission roll the Local Authority must be notified as soon as the ground for removal is met and no later than the time at which the pupil's name is removed from the register.

### Requests for Family Holidays During Term time

Amendments to the 2006 Pupil Registration (England) Regulations which come into effect on 1st September 2013 remove all references to family holidays and extended leave for holidays in term

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<sup>2</sup> Regulation 8 of the Education (Pupil Registration) Regulations 2006

time. The amendments make clear that headteachers may not grant any leave of absence during term time unless there are exceptional circumstances. It is for the Headteacher to determine what constitutes exceptional circumstances and for them to determine the number of school days a child can be away from school if the leave is granted.

At the request from Headteachers the local authority has provided a standard letter to be handed to parents and carers to support the governing body and Headteachers in communicating their decision making regarding individual requests for leave of absence for holidays in term time (Appendix 5)

## **Responsibilities of school, parents and pupils**

### **School**

School staff will set a good example in matters of attendance and punctuality.

Schools are responsible for supporting the attendance of their pupils and for dealing with problems that may lead to non-attendance.

Schools should:-

- work actively to maximise attendance rates - both in relation to individual pupils and for the pupil body as a whole - as one of their key tasks
- have clear policies in place to address persistent absence
- have clear policies in place to address the attendance of vulnerable groups
- support parents in ensuring the regular and punctual attendance of pupils and promptly respond to any issue which may lead to non-attendance
- be sensitive to the needs of individual parents and this should be reflected in the way in which attendance issues are addressed. Schools should recognise that some parents have difficulty understanding written communications. They should also recognise the reluctance of some parents to come into school.

### **Parents**

Parents are legally responsible for ensuring their child's regular and punctual attendance.

Parents will:

- ensure that their children arrive at school on time, properly dressed and ready to learn;
- instill in their children an appreciation of the importance of attending school regularly;
- take an active interest in their children's school career, praising and encouraging good work and behaviour and attending parents' evenings and other relevant meetings;
- work in partnership with the school to resolve issues which may lead to non-attendance;
- ensure that they are aware of St Bernadette School's attendance procedures and notify the school if their children are absent for any reason (see Appendix 4);
- avoid arranging routine medical/dental appointments during school hours;
- not book holidays during term time;
- only request leave of absence for their child in exceptional circumstances, by completing an 'Application for Leave of Absence' form three weeks in advance - available from school office or the school website

## **Pupils**

Pupils are expected to be ready to learn and must remember to hand any note giving reasons for absence to their class teacher.

## **Governing Body**

The governing body will:

- ensure that school registers are kept.
- agree the annual attendance target for the school. The attendance target for 2024/2025 is 96%

## **Monitoring and Review**

The Headteacher has overall responsibility for monitoring attendance at the school.

The marking of class registers must comply with the DfE Advice on School Attendance. The School Office will monitor and advise if incorrect markings are used.

If there has been any absence for which a written explanation has not been received, the School Secretary will send a form to the child's parents via pupil post. If no response is received a reminder will be sent by email. In some circumstances, the absence of a written explanation may mean the absence is recorded as unauthorised.

Where children are persistently absent or late, the School Office staff will inform the Headteacher. On a monthly basis, a report showing children with attendance below 90% in the year to date, and a second report showing children who have been late on two or more occasions in the previous calendar month, will be prepared for the Headteacher, who will decide whether or not it is necessary to contact parents. In the case of persistent absence or punctuality issues, the Headteacher may involve the Attendance Improvement Officer.

Absence figures for the year to date, differentiating between authorised and unauthorised absences, will be reported to governors in the termly Headteacher's Report.

Annual attendance statistics are published on the school's website.

## Appendix 1

### ATTENDANCE CODES, DESCRIPTIONS AND MEANINGS

CODE	DESCRIPTION	MEANING
/	Present (AM)	Present
\	Present (PM)	Present
B	Present at off site educational activity	Approved Education Activity
C	Leave of absence authorised by the school	Authorised absence
D	Dual registered at another educational establishment	Not expected to attend this session
E	Excluded (no alternative provision made)	Authorised absence
G	Holiday (NOT agreed <u>or</u> days in excess of agreement)	Unauthorised absence
H	Holiday authorised by the school	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	Other unauthorised absence	Unauthorised absence
P	Supervised sporting activity	Approved Education Activity
R	Day set aside exclusively for religious observance	Authorised absence
S	Study leave	Authorised absence
T	Gypsy, Roma and Traveller absence for occupational reasons	Authorised absence
U	Late and arrived after the registers closed	Unauthorised absence
V	Educational visit or trip	Approved Education Activity
W	Work experience	Approved Education Activity
X	Not required to be in school (non-compulsory school age pupils)	Not counted in possible attendances
Y	Unable to attend due to exceptional circumstances	Not counted in possible attendances
Z	Pupil not on admission register	Not counted in possible attendances
#	School closed to all pupils (Planned)	Not counted in possible attendances



## Appendix 2 - Understanding types of absence:

Schools must take the attendance register at the start of the first session of each school day and once during the second session. On each occasion they must record whether every pupil is:

- Present;
- Attending an approved educational activity<sup>3</sup>;
- Absent; or,
- Unable to attend due to exceptional circumstances.

For absences, the school will apply a code in accordance with the DfE guidelines which will determine whether or not the absence is recorded as authorised or unauthorised.

Authorised absences are mornings or afternoons away from school for a good reason including illness, medical/dental appointments which are unavoidable, sporting events, music exams, etc. and these are coded accordingly.

Absence will be authorised if:

- the pupil is absent with leave<sup>4</sup>
- the pupil is ill or prevented from attending by any unavoidable cause. Note that although the school will not routinely demand medical evidence to authorise absence on the grounds of ill health, if there are concerns about the legitimacy of an illness, the school may record the absence as unauthorised and will advise parents accordingly.
- the absence occurs on a day exclusively set aside for religious observance by the religious body to which the pupil's parent belongs
- the school at which the child is a registered pupil is not within walking distance of the child's home; and no suitable arrangements have been made by the LA for any of the following: the child's transport to and from school; boarding accommodation for the child at or near the school; enabling the child to become a registered pupil at a school nearer to his/her home
- the pupil is the child of Traveller parents who are known to be travelling for occupational purposes and have agreed this with the school but it is not known whether the pupil is attending alternative provision
- there is a close family bereavement
- leave of absence has been applied for in advance and has been granted because of exceptional circumstances relating to the application.
- leave of absence should be granted to allow a pupil to take part in a performance within the meaning of s37 of the Children and Young Persons Act 1963 (c) for which a child performance licence has been issued

Unauthorised absences are those which the school does not consider reasonable and for which no "leave" has been given. This type of absence can lead to the Local Authority using sanctions and/or legal proceedings. This includes:-

- Parents/carers keeping children off school unnecessarily

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<sup>3</sup> The key features of approved educational activity are that they must be:

- educational *and*
- approved by the school *and*
- supervised by the school or someone authorised by the school

<sup>4</sup> Defined as 'leave granted by any person authorised to do so by the governing body or proprietor of the school'

- Truancy
- Absences which have never been properly explained
- Children who arrive at school too late to get a mark
- Shopping, looking after other children, or birthdays
- Leave of absence which has not been agreed

## **Appendix 3 - Local Code of Conduct – Penalty Notices for Unauthorised Absence (Truancy)**

### **Introduction**

Section 23 of the Anti-Social Behaviour Act 2003 empowers the police, designated Local Authority Officers and Headteachers and Deputy and Assistant Headteachers authorised by them to issue penalty notices in cases of unauthorised absence (truancy) of pupils of statutory school age. The government requires Local Authorities to issue a Code of Conduct to which all parties involved must adhere. Penalty notices may be issued only in accordance with the terms of the Code of Conduct.

The purpose of the Code of Conduct is to ensure that:

- the powers are applied consistently and fairly
- duplicate notices are not issued
- issuing a notice does not conflict with proceedings proposed or being taken by the Local Authority under section 444 of the Education Act 1996
- suitable arrangements are in place for the administration of the penalty notice scheme.

### **The Law**

Section 23 of the Anti-Social Behaviour Act 2003 added sections 444A and 444B to section 444 of the Education Act 1996. These sections introduced penalty notices as an alternative to prosecution and enable parents to discharge potential liability for that offence by paying a penalty. The Education (Penalty Notices) (England) Regulations 2007 set out the framework for the operation of the scheme.

All those defined as a parent under section 576 of the Education Act 1996 are considered to be parents for the purpose of these provisions.

As with prosecutions under section 444 of the Education Act 1996 a penalty notice may be issued to each parent liable for the offence in respect of each child.

Penalty notices apply to parents of children of compulsory school age who are registered pupils at maintained schools, academies, Pupil Referral Units (Education Support Centres), City Technology Colleges, Studio Schools, UTCs and any other alternative education provision arranged under section 19 of The Education Act 1996.

Parents cannot be prosecuted for the offence for which the penalty notice was issued until after the final deadline for payment has passed and the penalty remains unpaid. Parents cannot be convicted of that offence if the penalty is paid in accordance with the notice.

The Local Authority will retain any revenue from penalty notices to cover the administration of the scheme and any legal actions arising from it.

## Rationale

Regular and punctual attendance is a legal requirement for pupils registered at schools, academies or other maintained or alternative provision.

A penalty notice may be a suitable intervention in circumstances of unauthorised absence where the school considers a parent is capable of securing their child's regular attendance. It may be particularly effective at an early stage before attendance problems become entrenched.

## Circumstances in which a penalty notice may be issued in the case of unauthorised absence.

Department of Education National Framework for Penalty Notices

### National Threshold

- There is a single consistent national threshold for when a penalty notice **must** be considered by all schools in England of 10 sessions (usually equivalent to 5 school days) of unauthorised absence within a rolling 10 school week period.
- These sessions do not have to be consecutive and can be made up of a combination of any type of unauthorised absence.
- The 10-school week period can span different terms or school years.

The following changes will come into force **on 19th August 2024**.

- All schools must consider whether a penalty notice is appropriate in each individual case where one of their pupils reaches the national threshold.
- The pupil must have at least **10 half days of unauthorised absence** (equivalent to 5 school days) within a rolling 10 school week period

### Cost of a penalty notice

#### First offence

The first time a Penalty Notice is issued for term time leave of absence or unauthorised absence the amount will be:

- **£160** per parent, per child paid within 28 days.
- Reduced to **£80** per parent, per child if paid within 21 days.

#### Second offence (within 3 years)

The Second time a Penalty Notice is issued for unauthorised absence the amount will be:

- **£160** per parent, per child within 28 days
- There is no reduced sum available in this instance.

Part payments or payment plans are not acceptable, and fines must be paid in full within 21 or 28 days, at the rate specified within the penalty notice.

Payment after the deadline may be accepted in exceptional circumstances. In this situation, the higher amount of £160 is usually payable and must be paid immediately and in full.

When paying a penalty notice fine, parents are essentially agreeing to an out of court settlement in respect of the unauthorised absences to which the notice refers. Payment in full against the penalty notice discharges the parent's legal responsibility for the period of unauthorised absence outlined in the Notice and the parent cannot be subsequently prosecuted for that period.

### **Third offence and any further offences (within 3 years)**

The third time an offence is committed a Penalty Notice will not be issued and the case will be presented straight to the Magistrate's Court.

- Prosecution can result in criminal records and fines up to **£2.500.00**
- Cases found guilty in Magistrates' Court can show on a parent's future DBS certificate due to 'failure to safeguard a child's education'.

If you don't pay the penalty notice in the given time, Hertfordshire County Council will prosecute you (if the notice hasn't been withdrawn).

Where pupils move between local authority areas, Hertfordshire County Council can be contacted on [crossborder.penaltynotice@hertfordshire.gov.uk](mailto:crossborder.penaltynotice@hertfordshire.gov.uk) to find out if penalty notices have been issued previously, so that appropriate escalation of fines may be applied in line with the national framework for penalty notices.

### **Per parent, per child**

Penalty Notice Fines are issued to each parent, for each child that was absent. For example: 3 siblings absent for term time leave, would result in each parent receiving 3 separate fines.

Section 576 of the Education Act 1996 ([Section 576 of the Education Act 1996](#)) states that, in relation to a child or young person, a 'parent' includes any person who is not a parent (from which can be inferred 'biological parent') but who has parental responsibility for or care of the child.

Parent refers to a person who typically has care of a child or young person if the child lives with them either full or part time and they look after them, irrespective of what their biological or legal relationship is with the child.

### **How to pay**

#### **Pay by debit or with credit card.**

Call **01992 555407** or **01992 555408** and follow the instructions on the penalty notice.

### **Code of conduct**

All penalty notices must follow our [code of conduct](#). We make sure that every case is treated consistently and fairly.

Parents can't appeal once a penalty notice has been issued. We might withdraw a notice if it's been issued by mistake.

Please contact [FPN@hertfordshire.gov.uk](mailto:FPN@hertfordshire.gov.uk) if you have any queries.

## **Appendix 4**

### **First Day Contact Guidelines**

For known absences, e.g. for medical appointments, school visits, music exams, etc, the school should be notified in writing at least one day in advance. For other absences, St Bernadette Catholic Primary School follows the First Day Contact procedure:

- 1 Parents/carers are required to telephone or email the school office before 9am to inform the school of the absence and the reason for absence. An indication should be given of the likely duration of the absence.
- 2 As soon as the registers are returned to the office, staff check absentees against messages received.
- 3 For pupils for whom no message has been received, staff will attempt to make contact with the parent by telephone at the earliest opportunity.
- 4 When contact is made, the parent will be asked for the reason for absence. In the event that no proper reason is supplied, the parent will be informed that the absence will not be authorised.
- 5 Where there is no answer, if possible a message will be left asking the parent to contact the school, or contact may be attempted by email.
- 6 Reasons for absence are then added to the register.
- 7 If school does not receive any contact from parents, another phone call will be made and text message sent.
- 8 If school still does not receive any contact from parents, the Co-Headteachers will decide the next appropriate steps to take- including a house visit and or/ referral to the local authority's safeguarding team.

## Appendix 5



**Children's Services**  
Director: Jenny Coles

**County Hall CHO126**  
**Hertford, SG13 8DF**

**Tel:** 0300 123 4043  
**Email:** [jenny.coles@hertfordshire.gov.uk](mailto:jenny.coles@hertfordshire.gov.uk)  
**Our ref** JC/MB/bh  
**Your ref:**  
**Date:** 4th September 2017

Dear Parent / Carer,

I understand that you are unhappy with the Headteacher's decision not to authorise time away from school to allow your child to take part in a family holiday.

Changes to legislation which came into force in September 2013, made clear that Headteachers may not grant any leave of absence during term time unless there are exceptional circumstances. Headteachers no longer have the discretion to allow up to 10 school days in a school year for a family holiday or to agree extended leave for parents to visit their country of origin.

If there are exceptional circumstances behind your request, you should discuss these with your Headteacher, if your child is absent from school because of a holiday which has not been agreed this will be classified as an unauthorised absence and you may be fined or legal action taken against you.

The power to authorise an absence rests with the Headteacher and not with the local authority. If you are unhappy with the Headteacher's decision you should follow the school complaints policy.

I am sure that you will want the best education for your child. By taking family holidays during the designated holiday period you will be supporting your child's full school attendance, learning and development.

Yours Sincerely,

**Jenny Coles**  
**Director of Children's Services**

[www.hertfordshire.gov.uk](http://www.hertfordshire.gov.uk)