

# Grimsargh St Michael's C of E Primary School



## Whole School Attendance Policy

*'Let your light shine before people so that they may see your good works and glorify your Father in heaven' (Matthew 5: v.16)*

Inspiring, believing and achieving in our loving Christian community

This is a successful school and your child plays their part in making it so. We aim for an environment which enables and encourages all members of the community to reach out for excellence. For our children to gain the greatest benefit from their education it is vital that they attend regularly and your child should be at school, on time, every day the school is open unless the reason for the absence is unavoidable.

It is very important therefore that you make sure that your child attends regularly and this Policy sets out how together we will achieve this.

Our school attendance target is **96.4%**, but all pupils should strive to achieve 100% attendance if they can.

### **School Mission Statement**

The school's aim is to develop the children intellectually, socially, morally, spiritually, physically and culturally within a caring, supportive and stimulating environment, based on the values of the Christian faith, taking into consideration each child's needs, abilities and interests.

Grimsargh St Michael's C of E School seeks to ensure that all its pupils receive a full-time education which maximises opportunities for each pupil to realise their true potential.

The school will strive to provide a welcoming, caring environment whereby each member of the school community feels wanted and secure.

All school staff will work with pupils and their families to ensure each pupil attends school regularly and punctually.

The school will establish an effective system of incentives and rewards which acknowledges the efforts of pupils to maintain or improve their attendance and timekeeping and will challenge the behavior of those pupils and parents who give low priority to attendance and punctuality.

To meet these objectives Grimsargh St Michael's C of E School will establish an effective and efficient system of communication with pupils, parents and appropriate agencies to provide mutual information, advice and support.

### **Why Regular Attendance is so important**

Any absence affects the pattern of a child's schooling and regular absence will seriously affect their learning. Any pupil's absence disrupts teaching routines so may affect the learning of others in the same class.

Ensuring your child's regular attendance at school is your legal responsibility and permitting absence from school without a good reason creates an offence in law and may result in prosecution.

As a school we refer to the guidance from the Department for Education (DfE). This guidance is non-statutory, and has been produced to help schools, trusts, governing bodies, and local authorities maintain high levels of school attendance. Please click on the underlined link to read the guidance: [Working together to improve school attendance - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

### **Promoting Regular Attendance**

Helping to create a pattern of regular attendance is everybody's responsibility - parents, pupils and all members of school staff.

#### **To help us all to focus on this we will:**

- Promote a culture across the school which identifies the importance of regular and punctual attendance;
- Report to you termly on how your child is performing in school, what their attendance and punctuality rate is and how this relates to their attainments;
- Celebrate good attendance by displaying individual and class achievements;
- Reward good or improving attendance through class competitions, certificates and outings/events.
- Carry out transition work with pupils moving between nursery and reception, and before leaving for high school;
- Run promotional events when parents, pupils and staff can work together on raising attendance levels across the school.
- Further develop positive and consistent communication between home and school
- Make attendance and punctuality a priority for everyone associated with school, including parents, pupils, staff and governors.
- Set targets to improve individual pupil and whole-school attendance.

### **Understanding types of absence:**

Every half-day absence from school has to be classified by the school as either AUTHORISED or UNAUTHORISED. This is why information about the cause of any absence is always required.

Authorised absences are mornings or afternoons away from school for a good reason like illness, medical/dental appointments which unavoidably fall in school time, emergencies or other unavoidable cause.

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 Authority using sanctions and/or legal proceedings. This includes:

- parents/carers keeping children off school unnecessarily
- truancy before or during the school day
- absences which have never been properly explained
- children who arrive at school after the register has closed
- shopping, looking after other children or birthdays
- day trips and holidays in term time which have not been agreed
- holidays that exceed the amount agreed by the Headteacher

Parents should be aware that the decision whether to authorise an absence or not rests with the school. Hence, if there is any ambiguity relating to an absence, school may request further evidence from parents before an absence may be authorised. This may be in the form of a prescription or appointment card or similar.

Whilst any child may be off school because they are ill, sometimes they can be reluctant to attend school. Any problems with regular attendance are best sorted out between the school, the parents and the child. If your child is reluctant to attend school it is better to speak to school to resolve the issue, rather than trying to cover up their absence, or give in to pressure to let them stay at home. This gives the impression that attendance does not matter and usually make things worse.

#### **Persistent Absenteeism (PA):**

A pupil becomes a 'persistent absentee' when they miss 10% or more of their schooling across the school year **for whatever reason**. Absence at this level is doing considerable damage to any child's educational prospects and we need parents' fullest support and co-operation to tackle this.

We monitor all absence thoroughly, therefore any pupil whose attendance indicates they are likely to reach the PA threshold will be given priority consideration, and parents will be informed of this immediately.

PA pupils are tracked and monitored carefully through our pastoral system and we also combine this with academic mentoring where absence affects attainment.

All our PA pupils and their parents are subject to an Action Plan and the plan may include: allocation of additional support through a Mentor, use of circle time, individual incentive programmes, parenting contracts and participation in group activities around raising attendance. All PA cases are also automatically made known to the Local Authority School Attendance Team.

#### **Severe Absence (SA)**

Severe absence is when a pupil misses 50% or more of their schooling across the school year. Sometimes such absence may be due to, for example, a long-term medical condition preventing full attendance at school, though even in such circumstances the pupil is still entitled to a suitable full-time education. However, absence at this level will usually require more intensive support and intervention by the school and, if required, the local authority.

#### **Absence Procedures:**

##### **If your child is absent you must:**

- Contact us as soon as possible on the first day of absence, either by leaving a message on the

school answerphone, before 9am, or by calling into school office and reporting the absence to reception.

**If your child is absent we will:**

- Telephone you on the first day of absence if we have not heard from you;
- Invite you in to discuss the situation with our in-school Attendance Lead and/or Headteacher if absences persist;
- Refer the matter to the Local Authority School Attendance Team where appropriate as per Local Authority protocol.

**Telephone numbers:**

There are times when we need to contact parents about lots of things, including absence, so we need to have your contact numbers at all times. Help us to help you and your child by making sure we always have an up to date number- if we don't then something important may be missed. There will be regular checks on telephone numbers throughout the year.

**In-School Strategies to Improve Attendance/Punctuality:**

Parents are expected to contact school at an early stage and to work with the staff in resolving any problems together. This is nearly always successful. School may consider using the following strategies to help support parents in improving their child's attendance and/or punctuality. This includes:

- Meetings in school between parents, pupils, pastoral staff and the Headteacher;
- Parenting contracts;
- Use of the Common Assessment Framework (CAF) and/or referral to outside agencies (including the Local Authority School Attendance Team)
- Penalty notices

**Attendance Concerns**

Parents are expected to contact school at an early stage and to work with us in resolving any attendance problems together; this is nearly always successful. However, if concerns persist, school will use the following procedures and interventions, as required, to support parents in improving their child's attendance and/or punctuality:

- Telephone calls and/or letters to make parents aware of school's concern about their child's attendance.
- Invitation to meetings to discuss concerns with our attendance lead and/or head teacher.
- Parenting contracts to identify barriers to regular attendance, ways to overcome these and agree targets for improvement.
- Incentive and reward schemes for individual pupils, if appropriate.
- The Early Help Assessment (EHA) process and/or referral to other agencies and services, including School Nurses and Primary Mental Health Workers, if appropriate.
- For unauthorised absences, request legal interventions by the local authority, such as penalty notices, prosecution or other attendance-related court orders.

At any stage, we may seek advice from advice from the local authority School Attendance Support Team.

### **Pupils with medical needs who have difficulty attending school**

Government guidance on supporting pupils at school with medical conditions (see appendix) emphasises the role of governing bodies in ensuring that pupils with medical conditions are able to fully access education in the same way as other pupils. A key element of this responsibility is reducing the amount of time missed by these pupils, whether their condition is short or long term.

School will work with parents and other relevant professionals to minimise absence for reasons of ill health. This may be in the form of specific support or resources used within school or by sourcing appropriate provision at another establishment. When education is to be provided at an alternative location, this should always be done via the use of a direction.

When a pupil has been absent from school for an extended period, the head teacher, the class teacher and other support services will work with the family to ensure that a smooth reintegration is achieved.

### **Pupils refusing to attend school**

At Grimsargh St Michael's Primary School, we believe that every child has a right to a full-time education, and we would not accept 'school refusal' as a reason for non-attendance. In such cases, we will work with parents to identify the reasons why a child may be reluctant to attend school. We will use in school strategies and we may request support from the Pupil Attendance Support Team and, with consent, make referrals to external partners such as the Children and Family Wellbeing Service, Primary Mental Health Workers, etc, as appropriate to try to ensure the correct support is secured for the child and their family.

### **Promotion of good attendance**

School will promote and incentivise attendance by acknowledging and rewarding good attendance by all pupils and efforts to improve attendance by individual pupils who have additional needs or challenging circumstances.

### **Use of penalty notices**

In accordance with the Lancashire code of conduct, we may request that the local authority issue penalty notices for unauthorised absence. This includes:

- Leave of absence which is taken without a prior request being made.
- Leave taken after a request has been declined.
- Days taken in excess of an agreed period of leave, without good reason.
- Other unauthorised absence that meets the required threshold, including sessions marked as late after the register has closed (code U).

On 19 August 2024 new penalty notice arrangements came into force, with changes to the cost of a penalty notice and to the thresholds at which penalty notices may be requested by school. The DfE now requires that schools **must** consider if a penalty notice is appropriate when the thresholds are met. The changes to be aware of are:

- Penalty notices issued for offences that take place after 19 August 2024 will be charged at £160 per parent per child. This will reduce to £80 if paid within 21 days.
- Any second penalty notice issued to the same parent for the same child within a rolling 3-year period will be issued at the rate of £160 to be paid within 28 days with no option for a discounted rate.

- The threshold at which a penalty notice must be considered is set at 10 sessions (equivalent to 5 days) of unauthorised absence within a rolling 10-school week period. This may include absences as a result of arriving late after the register closes. The 10 school weeks may span different terms or consecutive school years.
- A maximum of two penalty notices may be issued to a parent for the same child within a rolling 3-year period, so at the 3<sup>rd</sup> (or subsequent) offence(s) another course of action will need to be considered (such as prosecution or one of the other attendance legal interventions).

If a school requests a penalty notice for absences other than unauthorised holidays, including being late after the register has closed, the local authority School Attendance Legal Team may issue a Notice to Improve to parents. A Notice to Improve is a final opportunity for parents to engage in support and improve attendance before a penalty notice is issued. If the national threshold has been met and offers of support have not been engaged with by parents or have not worked, a Notice to Improve may be issued to give parents a final chance to engage with support and improve their child's attendance.

The code of conduct for penalty notices and information and FAQs for parents can be found on the Lancashire County Council [education penalty notice webpage](#).

#### **Alternative provision and use of directions**

There is a range of circumstances when pupils might be required to access educational provision at a venue other than their main school. The main reasons are:

- Pupils who have been excluded, either for a fixed period of more than 5 days or permanently.
- Pupils unable to access provision at their main school for medical reasons.
- Pupils required to attend another venue for the purpose of improving behaviour, either on a temporary basis or with a view to making a permanent move to the alternative provision (via a managed move).

When a pupil is required to attend alternative provision for the purposes of improving behaviour, the governors of the main school must issue a written direction or notice informing all parents of the alternative provision which their child is required to attend. Where a pupil is required to attend alternative provision for other reasons, the issuing of a written direction is considered best practice.

#### **Lancashire County Council (the local authority)**

##### **School Attendance Support Team**

Each school has a named contact in the School Attendance Support Team who can advise schools on attendance related matters, and with whom termly Targeting Support Meetings will be held. For mainstream nursery, primary and secondary schools this will be a School Attendance Support Worker (SASW); for special schools and pupil referral units (PRUs) this will be a School Attendance Consultant (SAC).

##### **School Attendance Legal Team (SALT)**

Following requests from schools for legal interventions in the event of failure to attend school regularly, the SALT undertakes enforcement processes, including penalty notices, prosecutions, parenting orders, education supervision orders and school attendance orders.

### **Children Missing Education (CME) Team**

The CME team ensures the local authority fulfils its statutory duty to identify children in their area who are not registered pupils at a school and are not receiving suitable education otherwise than at a school. For further information see section 7, below, regarding notifications schools must submit.

### **Lateness:**

Poor punctuality is not acceptable. If your child misses the start of the day they can miss work and do not spend time with their class teacher getting vital information and news for the day. Late arriving pupils also disrupt lessons, which can be embarrassing for the child and can in turn, encourage absence. Being 10 minutes late every day throughout the academic year is the same as missing two weeks of school.

### **School procedures**

The school day starts at **8:55am**. Doors will open at 8.50am and we will expect all children to be in their classroom by 8.55am.

Registers are marked by 9.05am and your child will receive a late mark (code L) if they are not in by that time.

At 9.25am the registers will be closed. In accordance with the Regulations, if your child arrives after that time they will receive a mark that shows them to be on site (code U), but this will not count as a present mark and it will mean they have an unauthorised absence. This may mean that you could face the possibility of a Penalty Notice if the problem persists.

Poor punctuality is not acceptable. If your child misses the start of the day, they can miss work and do not spend time with their class teacher getting important news and information for the day. Pupils arriving late also disrupt lessons, which can be embarrassing for the child and can in turn, encourage absence. Being 10 minutes late every day throughout the academic year is the same as missing two weeks of school.

If your child has a persistent late record you will be asked to meet with the Headteacher and/or a member of the pastoral support team to resolve the problem, but you can approach us at any time if you are having problems getting your child to school on time.

### **Signing Out**

The school office is responsible for overseeing the procedure for releasing children where parents/carers have requested and been granted leave during the school day.

The child(ren) can only be released to a parent or authorised carer/family member. When an authorised adult is picking up a child within school time they must sign out the child using our electronic InVentry system. The school office is responsible for inputting the appropriate absence code on the electronic register.

### **Leave of Absence**

By law, maintained schools cannot authorise any leave in term time other than in exceptional circumstances. Taking a child out of school in term time will affect their education and progress as much as any other absence. If leave is being requested that involves arranging travel or accommodation, approval must be obtained from the head teacher before making any bookings.

Leave of absence **WILL NOT** be granted unless:

- a request for leave has been made in advance, by a parent with whom the pupil normally resides, and
- the head teacher considers that leave of absence should be granted due to the **EXCEPTIONAL CIRCUMSTANCES** relating to the request.

If a request for absence in exceptional circumstances is made the following factors may be considered when reviewing an application for leave:

- Will leave at this point in time be detrimental to the pupil's education?
- Will he/she miss any national tests or examinations?
- Is his/her attendance a cause for concern?
- Is the proposed absence during the month of September or any other transition period?
- Has he/she already had leave during term time this year?
- Did he/she have leave of absence during term time in the previous school year(s)?
- Does he/she have any absences which have been recorded as unauthorised this year?

If work commitments are stated as an exceptional reason for requesting leave, parents will be asked to provide employer details and any additional evidence which shows why leave cannot be taken during the school holidays

Parents/Carers who need to request leave during term time should complete an application form, available from the school office as soon as possible prior to the first proposed date of absence. The Headteacher will consider the request and advise in writing within 5 days whether the absence will be authorised or not. Where concerns exist the Headteacher will request a meeting with parents before any period of leave is authorised.

The school takes unauthorised absence seriously and, particularly in the case of repeated unauthorised absences, will undertake further liaison with the family, pupil and the Pupil Attendance Support Team as appropriate.

We may request that the Local Authority issue Penalty Notices in respect of unauthorised absence. This includes leave which is taken without a prior request being made; and leave taken after a prior request has been made and parents have been informed that the period of absence would be classed as unauthorised but the leave is taken regardless of this advice.

We may also request that the Local Authority issue a Penalty Notice for days taken in excess of the agreed period of leave; without good reason. Parents also risk losing their child's school place if they do not return from leave, as agreed, and readmission cannot be guaranteed.

The school office is responsible for recording leave requests in the electronic register and will retain copies of correspondence regarding requested leave of absence for three years. They will also be responsible for highlighting to the Headteacher if absence continues after the notified period. In this instance the Headteacher will undertake further liaison with the family, pupil and the Pupil Attendance Support Team as appropriate and a fixed penalty notice may be considered.

### **Religious absence**

School will authorise one day of absence per religious festival, eg Eid, and this will be marked as code R in the register. The day authorised will be that set aside by the religious body of which the parent is a member.

Parents must request any additional leave in advance and this can only be authorised if the head teacher agrees that exceptional circumstances apply; this would be marked in the register as code C.

### **Participation in sporting events**

Parents can request leave of absence for their child to take part in regional, national and international sporting events. However, as always, granting leave is at the head teacher's discretion and she/he will need to discuss with you the length and frequency of the absence(s) requested and how learning will continue if absence occurs, eg the sports club or association providing an approved education tutor.

Leave for a sporting activity that has been approved by the school and supervised by someone authorised by the school can be marked in the register as code P.

Permission for your child to leave early or arrive late in order to attend coaching and training sessions is also at the discretion of the head teacher and is unlikely to be approved if it would occur regularly.

### **Participation in performances (eg theatre, television, modelling)**

Parents of a child performer can request leave from school for their child to take part in a performance. A local authority licence must be obtained before a child can take part in a performance. Before a licence is granted, school will be consulted and head teachers must be satisfied that the leave will not have a negative effect on the child's education.

Where the licence specifies the dates that the child is to be away from school, the head teacher should authorise those days. However, where the licence does not specify dates, it is at the discretion of the head teacher to authorise the leave request.

Any absence authorised for the child to take part in a performance will be recorded as code C1.

Parents wishing to apply for a performance licence should go to the Lancashire County Council [Child performance licences webpage](#).

### **Notifications school must submit to the local authority**

#### **Admissions**

All schools must notify the local authority within five days of adding a pupil's name to the admission register and must provide the local authority with all the information held within the admission register about the pupil. This duty does not apply to pupils who are added to the admission register at the start of the school's youngest year unless the local authority also requests for such information to be provided (currently Lancashire does not).

#### **Leavers**

All schools must notify the local authority when a pupil's name is to be deleted from the admission register under any of the grounds prescribed in regulation 8 of the Education (Pupil Registration) (England) Regulations 2006, 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. This duty does not apply where the pupil's name is removed after they have completed the school's final year, unless the local authority requests for such information to be provided (Lancashire currently does not).

Where a school notifies a local authority that a pupil's name is to be deleted from the admission register, the school must provide the local authority with the required information as laid out in regulation.

In addition to submitting a notification about removal from roll, some circumstances also require school to make referral to other local authority teams such as the Elective Home Education team or the Children Missing Education team. Schools may also contact the School Attendance Support Team for advice on removing children from roll. For pupils with an EHCP on roll at a special school, the school must have the agreement of the Lancashire Inclusion Service (SEND) before removing from roll.

### **Pupils who fail to attend**

Attendance returns: all schools must inform the local authority of any pupil of compulsory school age who fails to attend school regularly or has been absent without the school's permission (codes G, O, and/or U) for a continuous period of 10 days or more. In Lancashire schools, this can be done via a variety of means and school can contact the School Attendance Support Team for further advice.

Sickness returns: all schools must inform the local authority of any pupil of compulsory school age who has been recorded absent with code I (illness) and who the school believes will miss 15 days consecutively or cumulatively due to sickness. Only one sickness return is required for a continuous period of sickness in a school year.

### **Pupils on a part-time timetable**

Schools must inform the local authority when a pupil is placed on a part-time timetable. In Lancashire, this should be done via the eForm available to schools.

### **Children missing education (CME)**

Local authorities have a duty to put in place arrangements for identifying (as far as possible) those children of compulsory school age in their area who are not school registered or receiving suitable education otherwise than at a school. Local authorities should trace those children and ensure they receive a full-time education.

If a pupil has stopped attending and her or his location is unknown, schools must make reasonable enquiries to establish the whereabouts of the child jointly with the local authority, before deleting the pupil's name from the register. In such cases, school should undertake a home visit, prior to a referral being made to the local authority Children Missing Education team.

### **Roles and responsibilities for attendance matters in this school:**

#### **Parents:**

- Ensure children attend regularly and punctually
- Contact school on 1<sup>st</sup> day of absence
- Avoid leave in term time and apply in advance using form
- Attendance at meetings in school
- Participation in Parenting Contracts and Common Assessment Framework, and cooperate in support and interventions offered by school or other agencies

#### **Pupils:**

- Acknowledge behaviour needed out of school, e.g. early bedtime
- Attend school/registration punctually
- Speak to parents/teacher if issues arise that may have an effect on school attendance
- Cooperate and participate in interventions and support offered by school or other agencies

**Headteacher / (School Attendance Lead):**

- Take the lead in ensuring attendance has a high profile within the school
- Ensure there are designated staff with day-to-day responsibility for attendance matters
- Ensure adequate, protected time is allocated to discharge these responsibilities
- Take overall responsibility for ensuring the school conforms to all statutory requirements in respect of attendance
- Consider each request for leave against the school's criteria, decide whether some or all of the leave will be authorised and notify parents of this decision
- Where there may be ambiguity regarding an absence, make the decision whether or not to authorise an absence or to request further evidence to support the request
- Provide regular reports to the governing body on school attendance, including persistent absence and vulnerable groups.

**Designated Staff:**

- First day response: Contact parents if a reason for absence has not been provided
- Input and update the attendance registers
- Regularly identify and monitor pupil, class and whole school attendance and punctuality levels, particularly that of vulnerable groups
- Regularly communicate pupil attendance and punctuality levels to parents
- Work with children and parents to remove barriers to regular and punctual attendance, using Parenting Contracts where appropriate
- Involve external agencies to support children and parents as appropriate to better understand and address the issues causing attendance concerns.
- Promote regular attendance through the school newsletter, website and displays and ensure the school's attendance policy is readily accessible.
- Use projects and strategies to improve attendance and punctuality for groups, classes or the whole school (eg incentive and reward schemes, certificates, traffic light letters).

**All School Staff:**

- Provide a welcoming atmosphere for children and provide a safe learning environment
- Ensure an appropriate and responsive curriculum
- Provide a sympathetic response to any pupils' concerns
- To be aware of factors that can contribute to non-attendance
- To see pupils' attendance as the responsibility of **all** school staff
- Participate in training regarding school systems and procedures
- Raise any concerns about attendance with the attendance lead and/or head teacher.

**Governors**

- Ensure compliance with The Education (Pupil Registration) (England) Regulations 2024.
- Agree an attendance policy and review it annually.
- Agree targets for attendance at Grimsargh St Michael's School
- Where the school is not meeting its attendance targets, or when the governors believe there is cause for concern, instigate a review of school's attendance procedures.
- Authorise the head teacher (or other designated person) to make decisions regarding leave of absence requests.
- Work with the head teacher in establishing equitable and consistent criteria against which leave requests will be considered.

Schools are bound by a range of attendance legislation and guidance; please see the appendix for further details.

**School targets, projects and special initiatives:**

The school has targets to improve attendance and your child has an important part to play in meeting these targets.

The minimum level of attendance for this school is **96.4%** and we will keep you updated regularly about progress to this level and how your child's attendance compares. Our target is to achieve better than this because we know that good attendance is the key to successful schooling and we believe our pupils can be amongst the best in the area.

Through the school year we monitor absences and punctuality to show us where improvements need to be made.

Information on any projects or initiatives that will focus on these areas will be provided in newsletter and we ask for your full support

**Summary:**

The school has a legal duty to publish its absence figures to parents and to promote attendance. Equally, parents have a duty to make sure that their children attend.

All school staff are committed to working with parents and pupils, as this is the best way to ensure as high a level of attendance as possible. The staff responsible for the strategic approach to attendance in school are listed below;

**Attendance Lead:** Mrs Lindsay Garner

**Headteacher:** Mr Stuart Booth

Tel: 01772 653600

Signed: **Mrs Lindsay Garner**

Date: **October 2025**

Review Date: **October 2026**

Agreed by the Curriculum Committee: **01.10.2025**

### **Appendix: School attendance and the law**

There are many pieces of legislation and government regulations and guidance that are relevant to school attendance and to children and their parents and carers. The list below relates to this attendance policy but is not exhaustive.

#### **Parents and carers**

##### **Duty to ensure children receive education**

Section 7 of the Education Act 1996 covers the duty of parents to secure the education of children in their care who are of compulsory school age and states:

*The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable—*

- (a) to his age, ability and aptitude, and*
- (b) to any special educational needs he may have,*  
*either by regular attendance at school or otherwise.*

##### **Offence if a child does not attend regularly**

Under Section 444 of the Education Act 1996, if a child of compulsory school age who is a registered pupil at a school fails to attend regularly, their parent is guilty of an offence.

The offence is absolute as the only defences available to the parent are those statutory defences listed within that section of the Act, ie:

- the child was absent with leave granted by the school;

- the child was prevented from attending by reason of sickness or any unavoidable cause;
- absence was on a day exclusively set apart for religious observance by the religious body to which their parent belongs;
- that the school is not within statutory walking distance and that the local education authority has made no suitable transport arrangements or enabled the pupil to become registered at an alternative nearer school.

### **Compulsory school age**

Section 8 of the [Education Act 1996](#) establishes that a child becomes of compulsory school age on the start date of the term following her/his fifth birthday, or that day if her/his fifth birthday falls on the day term starts.

A child ceases to be of compulsory school age on the last Friday in June in the academic year in which he/she reaches the age of 16 or if he/she reaches 16 after the last Friday in June but before the start of the new school year.

### **Legal definition of "parent" in relation to attendance**

The law requires that all "parents" are held responsible for their child's attendance. This definition can include any person who has care of the child. [Section 576 of the Education Act 1996](#) states:

*Meaning of "parent".*

*(1) In this Act, unless the context otherwise requires, "parent", in relation to a child or young person, includes any person—*

- (a) who is not a parent of his but who has parental responsibility for him, or*
- (b) who has care of him.*

Thus, the definition of "parent" means all natural parents, whether they are married or not, and includes any person who, although not a natural parent, has parental responsibility and/or care for a child or young person.

### **Schools**

#### **Attendance and absence registration codes**

[Working together to improve school attendance](#), DfE, 2022, explains which codes schools should use to record attendance in their registers, and specifies the DfE's expectations of schools and local authorities with respect to school attendance.

#### **Data protection**

Schools must ensure that personal data is handled in accordance with the [Data Protection Act 2018](#). See Grimsargh St Michael's School's Privacy Notice for information about how personal data will be used.

#### **Duty for schools to include attendance information in reports for parents**

[The Education \(Pupil Information\) \(England\) Regulations 2005](#)

#### **Duty for schools to notify the local authority when pupils join or leave school**

[Regulation 12 of The Education \(Pupil Registration\) \(England\) Regulations 2006](#)

#### **Duty for maintained schools to publish attendance data**

[What maintained schools must publish online](#), DfE guidance

#### **Duty for schools to report attendance concerns about individual pupils to the local authority**

Regulation 12 of The Education (Pupil Registration) (England) Regulations 2006

### **Duty for schools to report attendance data to Government**

Section 537A of the Education Act 1996 and

Complete the school census, DfE guidance for schools and local authorities on what data government requires

### **Duty for schools to safeguard and promote the welfare of children**

Keeping children safe in education: Statutory guidance for schools and colleges, DfE, regularly updated

### **Leave in term time \***

September 2013 amendment to The Education (Pupil Registration) (England) Regulations 2006

\* This regulation does not apply to academies, though many adopt this as good practice.

### **Legal interventions**

Parents/carers commit an offence if a child who is on a school roll fails to attend regularly and those absences are recorded by the school as unauthorised.

Legal interventions are available under the following Acts, Guidance and Regulations:

- Section 444 of the Education Act 1996
- Section 36 of the Children Act 1989
- Section 23 of the Anti-Social Behaviour Act 2003
- The Education (Penalty Notices) (England) Regulations 2007
- The Education (Penalty Notices) (England) (Amendment) Regulations 2013
- School attendance parental responsibility measures 2015

### **Pupils experiencing social, emotional or mental health issues**

Mental health issues affecting a pupil's attendance: guidance for schools, DfE, 2023

### **Pupils with health needs who cannot attend school**

Supporting pupils at school with medical conditions: Statutory guidance, DfE, 2015

### **Pupils with individual needs and specific barriers to attendance**

When considering the individual needs of pupils and families who have specific barriers to attendance, schools should be mindful of their obligations under the UN Convention on the Rights of the Child and the Equality Act 2010. Schools may wish to refer to the Technical Guidance for Schools in England, published by the Equality and Human Rights Commission, which outlines the requirements of the Equality Act 2010 for schools.

### **Regulations regarding participation in performances**

The Children (Performances and Activities) (England) Regulations 2014

### **Regulations regarding removal from roll**

Regulation 8 of The Education (Pupil Registration) (England) Regulations 2006

### **Regulations regarding the school day and number of sessions**

The Education (School Day and School Year) (England) Regulations 1999

**Requirement for state-funded mainstream schools to deliver a school week of at least 32.5 hours by September 2023.**

Minimum expectation on length of the school week: information note