# Attendance Policy

## Rood End Primary School

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| **Approved by:** | Full Governing Board | **Date:** 22nd September 2026 |
| **Last reviewed on:** | 18th September 2026 | |
| **Next review due by:** | 30th September 2027 | |

**The name and contact details of the Senior Attendance Champion – the senior leader responsible for the strategic approach to attendance in our school, is:**
Mrs L Hyde
leanne.doughty@roodend.sandwell.sch.uk
0121 552 1866

**The name and contact details of the school staff member pupils and parents should contact about attendance on a day-to-day basis is:**
Mr E Cherrington or Miss N Morgan
office@roodend.sandwell.sch.uk
0121 552 1866

**The name and contact details of the school staff member pupils and parents should contact for more individual support with attendance:**
Mr E Cherrington
office@roodend.sandwell.sch.uk
0121 552 1866

EYFS
Mrs F Langford
0121 552 1866

Phase 1 (years 1, 2 and 3)
Mr T Hyde
0121 552 1866

Phase 2
Mrs T Corbett
0121 552 1866

**The name of our linked Governor with responsibility for monitoring attendance is:**
Zahir Khan
Zahir1khan@gmail.com

# Rood End Primary School

# Pupil Attendance Policy

## Introduction and Background

*Rood End Primary school* recognises that positive behaviour 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.

Where parents decide to have their child registered at school, they have an additional legal duty to ensure their child attends that 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.

The Department for Education (DfE) has produced statutory guidance for maintained schools, academies, independent schools, and local authorities. It is called "Working together to improve school attendance" and it includes a National Framework in relation to absence and the use of legal sanctions. Our School Attendance Policy reflects the requirements and principles of that guidance.

This policy is written with the above guidance in mind and underpins our school ethos to:

- promote children's welfare and safeguarding;
- ensure every pupil has access to the full-time education to which they are entitled;
- ensure that pupils succeed whilst at school;
- ensure that pupils have access to the widest possible range of opportunities at school, and when they leave school.

It has been developed in consultation with school governors, teachers, local Headteacher Associations, the Local Authority and parents and carers. It seeks to ensure that all parties involved in the practicalities of school attendance are aware and informed of attendance matters in school and to outline the school's commitment to attendance matters. It details the responsibilities of individuals and groups involved and the procedures in place to promote and monitor pupil attendance.

In addition, all schools follow the DfE's statutory safeguarding guidance, Keeping Children Safe in Education, which emphasises the importance of understanding the potential vulnerabilities of children who are missing or absent from education.
https://www.gov.uk/government/publications/keeping-children-safe-in-education--2

Our policy aims to raise and maintain levels of attendance by:

- Promoting a positive and welcoming atmosphere in which pupils feel safe, secure and valued;
- Raising and maintaining a whole school awareness of the importance of good attendance and punctuality;
- Ensuring that attendance is monitored effectively and reasons for absences are recorded promptly and consistently.

For our children to gain the greatest benefit from their education it is vital that they attend regularly and be at school, on time, every day the school is open unless the reason for the absence is unavoidable. **It is a rule of this school that pupils must attend every day, unless there are exceptional circumstances, and it is the *headteacher* not the parent, who can authorise the absence.**

## Promoting Regular Attendance

At Rood End Primary school, we believe in developing good patterns of attendance and set high expectations for the attendance and punctuality for all our pupils from the outset. It is a central part of our school's vision, values, ethos and day to day life. We recognise the strong connections between attendance, attainment, safeguarding and wellbeing.

**The name and contact details of the Senior Attendance Champion (the senior leader responsible for the strategic approach to attendance in our school) is:**
Mrs L Hyde
leanne.doughty@roodend.sandwell.sch.uk
0121 552 1866

The governor with responsibility for monitoring attendance is
Zahir Khan
Zahir1khan@gmail.com

Helping to create a pattern of regular attendance is the responsibility of parents, pupils and all members of school staff.

To help us all to focus on this, we will:

- Submit a daily attendance return to the Department of Education, in line with the legal expectations placed on all schools;
- Build strong relationships and work jointly with families;
- Give parents/carers details on attendance in our newsletters;
- Promote the benefits of high attendance;
- Accurately complete admission attendance registers and have effective day to day processes in place to follow-up absence as required by law;

- Celebrate excellent attendance by displaying and reporting individual and class achievements;
- Reward good or improving attendance;
- Report to parents/carers regularly on their child's attendance and the impact on their progress;
- Contact parents/carers should their child's attendance fall below the school's target for attendance.

## Understanding Types of Absence

Any absence affects the routine of a child's schooling and regular absence will seriously affect their learning journey and ability to progress. Any pupil's absence or late arrival disrupts teaching routines and so may affect the learning of others in the same class. Ensuring a child's regular attendance at school is a parental responsibility and allowing absence from school, without a good reason, creates an offence in law and may result in prosecution.

Every half-day absence from school has to be classified by the school (not by the parent), as either **authorised** or **unauthorised**. This is why information about the cause of any absence is always required. Each half-day is known as a 'session'.

**Authorised absences** are morning or afternoon sessions away from school for a genuine reason such as illness, medical or 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 granted. This type of absence can lead to the school referring to the Local Authority for penalty notices and/or legal proceedings.

Unauthorised absence includes, (however this list is not exhaustive):

- parents/carers keeping children off school unnecessarily e.g. because they had a late night or for non-infectious illness or injury that would not affect their ability to learn;
- absences which have never been properly explained;
- children who arrive at school after the close of registration are marked using a 'U'. This indicates that they are in school for safeguarding purposes, however is counted as an absence for the session;
- shopping trips;
- looking after other children or children accompanying siblings or parents to medical appointments;
- their own or family birthdays;
- holidays taken during term time, not deemed 'for exceptional purposes' by the headteacher, including any arranged by other family members or friends;

- day trips;

- other leave of absence in term time which has not been agreed.

**Persistent Absenteeism (PA) and Severe Absenteeism (SA)**

A pupil is defined by the Government as a **'persistent absentee'** when they miss 10% or more schooling across the school year for any reason; this can be authorised or unauthorised absence. Absence at this level will cause considerable damage to any pupil's education and we need the full support and co-operation of parents to resolve this. All pupils who have attendance levels of 90% or below are considered to be a persistent absentee.

A pupil who has missed 50% or more schooling is defined by the Government as '**severely absent'**. Pupils within this cohort may find it more difficult to be in school or face bigger barriers to their regular attendance and, as such, are likely to need more intensive support.

**Absence Procedures**

**The name and contact details of the school staff member pupils and parents should contact about attendance on a day to day basis is:**
Mr E Cherrington or Miss N Morgan
0121 552 1866

We monitor and review all pupils' absence, and the reasons that are given, thoroughly.

**If a child is absent from school the parent must follow these procedures:**
- Contact the school on the first day of absence before *9.15am, when our register closes;*
- The school has an answer phone available to leave a message if nobody is available to take your call, or you may call into school personally and speak to the office staff. Please be aware that, if you leave a voicemail to report your child's absence, you may receive a call from the school so that we may discuss the absence before making a decision as to whether the absence is to be recorded as authorised;
- Contact the school on every further day of absence, again before *9.15am;*
- Ensure that your child returns to school as soon as possible and you provide any medical evidence, if requested, to support the absence. Medical evidence may be requested where your child is having multiple periods of absence which are reported as being due to medical reasons. When determining whether a child is too ill to attend school, both parents and school staff can consider the advice contained within the NHS and Sandwell Council Guidance on School Absence and Childhood Illness (annex c).

**If your child is absent we will:**
- Telephone or email you on the first, and every subsequent day of absence, if we have not heard from you. However, it is your responsibility to contact us;
- Make home visits to support with return to school
- If we are unable to make contact with parents by telephone, we will telephone emergency contact numbers, send messages or emails and a home visit may be made, in the interests of safeguarding;

**If absence continues we will:**

- Write to you if your child's attendance is below 95% / causing concern, and/or where punctuality is a concern;
- Arrange a meeting so that you may discuss the situation with our Education Welfare Officer, Senior Attendance Champion or headteacher
- Create a personalised action/support plan, such as an attendance contract, to address any barriers to attendance and make clear each person's role in improving the attendance patterns of your child;
- Offer signposting support to other agencies or services, if appropriate;
- Refer the matter to the Local Authority for relevant legal sanctions, if attendance deteriorates following the above actions.

## Lateness

Poor punctuality is not acceptable and can sometimes lead to irregular school attendance patterns. Good time-keeping is a vital life skill which will help children as they progress through their school life and out into the wider world.

Pupils who arrive late disrupt lessons and, if a child misses the start of the day, they can feel unsettled and embarrassed and risk missing vital work and important messages from their class teacher.

**The times of the start and close of the school day for pupils in Years reception to 6 are:**
Gates open: 8.35am
Registration starts: 8.45am
Registration closes: 9.15am
End of the school day: 3.15pm

**The times of the start and close of the school day for pupils in Nursery are:**
Gates open: 8.30am
Registration starts: 8.45am
Registration closes: 9.15am
End of the school day: 3.30pm

**How we manage lateness:**
The school day starts at ***8.35am*** when children can begin to come into school;
Registers are taken at ***8.55am;***
Children arriving after ***8.45am*** are required to come into school via the school office.
If accompanied by a parent/carer they must sign them into our 'Late Book' and provide a reason for their lateness, which is recorded;
At ***9.15am*** 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 – 'U', but this will **not** count as a present mark and it will mean that they have an unauthorised absence;

The school may contact parents/carers regarding punctuality concerns;
Unauthorised lateness could result in the school referring to the Local Authority for sanctions and/or legal proceedings. If your child has a persistent lateness record, you may be asked to meet with their class teacher, phase leader, Mrs Hyde or Mrs O'Neill, but you can approach us at any time if you are having difficulties getting your child to school on time. We expect parents and staff to encourage good punctuality by being good role models to our children and, as a school, we celebrate good class and individual punctuality.

## Understanding barriers to attendance

Whilst any child may occasionally have time off school because they are too unwell to attend, sometimes they can be reluctant to attend school. Any barriers preventing regular attendance are best resolved between the school, the parents and the child. If a parent thinks their child is reluctant to attend school, then we will work with that family to understand the root problem and provide any necessary support. We can use outside agencies to help with this, such as the School Nurse, Mental Health and Emotional Wellbeing support services, a Child and Family Support Worker or the relevant Local Authority team/s. Where outside agencies are supporting the family, you may be invited to attend a Team Around the Family meeting (TAF) to consider what is working well and what needs to improve. An individual support plan will be agreed and subsequently reviewed.

Some pupils face greater barriers to attendance than their peers. These can include pupils who suffer from long-term medical conditions or who have special educational needs and disabilities, or other vulnerabilities. High expectations of attendance remain in place for these pupils, however we will work with families and pupils to support improved attendance whilst being mindful of the additional barriers faced. We can discuss reasonable adjustments and additional support from external partners, where appropriate.

Under the DfE's statutory guidance, schools are required to submit a sickness return to the Local Authority for all pupils who have missed/are likely to miss 15 or more school days (consecutive or cumulative) due to medical reasons/illness.

See Annex A for summary tables of responsibilities for school attendance.

**The name and contact details of the school staff member pupils and parents should contact for more detailed support on attendance:**
Mr E Cherrington or Miss N Morgan
office@roodend.sandwell.sch.uk
0121 552 1866

## Local Authority attendance support services

The Schools Attendance Support Service works strategically by offering support to schools, to reduce persistent absence and improve overall attendance.

Parents are expected to work with the school and local authority to address any attendance concerns. Parents should proactively engage with the support offered, aiming to resolve any problems together. This is nearly always successful. If difficulties cannot be resolved in this

way, the school may consider more formal support and/or refer the child to the Local Authority. If attendance does not improve, legal action may be taken in the form of a Penalty Notice (see Annex B for the Sandwell Code of Conduct) or prosecution in the Magistrates Court.

## School Attendance and the Law

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). Parents have a legal duty to ensure their child attends school regularly at the school at which they are registered.

Parents 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

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 may receive a fine of up to £2500 and/or up to 3 months in prison. If a parent is found guilty in court, they will receive a criminal conviction.

See Annex B for the Sandwell 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 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."

The School Attendance (Pupil Registration) (England) Regulations 2024 set out the statutory requirements for schools. All references to family holidays and extended leave have been removed. The amendments specify that headteachers may not grant any leave of absence during term time unless there are "exceptional circumstances" and they do not have any discretion to authorise up to ten days of absence each academic year.
It is a rule of this school that a leave of absence shall not be granted in term time unless there are reasons considered to be exceptional by the headteacher, irrespective of the child's overall attendance. Only the headteacher or his/her designate (not the local authority) may authorise such a request and all applications for a leave of absence must be made in writing, in advance, on the prescribed form provided by the school. The school will usually consider that the parent who has made the application is therefore allowing the leave of absence, and also that all parents who are on the holiday are allowing the leave. Where a parent removes a child after their application for leave was refused or where no application was made to the school, the absence will be recorded as unauthorised. It is likely that penalty notices will be requested, in line with the National Framework and Sandwell Code of Conduct, in respect of each parent believed to have allowed the absence.

## Absence data

We use data to monitor, identify and support individual pupils or groups of pupils when their attendance needs to improve, and schools are required to submit pupil attendance data to the Department for Education on a daily basis Education (Information about Individual Pupils) (England) (Amendment) Regulations 2024. Persistently and severely absent pupils are tracked and monitored carefully. We also combine this with academic tracking, as increased absence affects attainment.

We share information and work collaboratively with other schools in the area, local authorities, and other partners, when absence is at risk of becoming persistent or severe.

# Annex A: DfE guidance Summary table of responsibilities for school attendance. From 19th August 2024

https://assets.publishing.service.gov.uk/media/65e8ae343649a2001aed63aa/Summary_table_of_responsibilities_for_school_attendance__applies_from_19_August_2024_.pdf

## All pupils

| Parents are expected to: | Schools are expected to: | Academy trustees and governing bodies are expected to: | Local authorities are expected to: |
|---|---|---|---|
| Ensure their child attends every day the school is open except when a statutory reason applies.<br><br>Notify the school as soon as possible when their child has to be unexpectedly absent (e.g. sickness).<br><br>Only request leave of absence in exceptional circumstances and do so in advance.<br><br>Book any medical appointments around the school day where possible. | Have a clear school attendance policy on the school website which all staff, pupils and parents understand.<br><br>Develop and maintain a whole school culture that promotes the benefits of good attendance.<br><br>Accurately complete admission and attendance registers.<br><br>Have robust daily processes to follow up absence.<br><br>Regularly monitor data to identify patterns and trends and understand which pupils and pupil cohorts to focus on.<br><br>Have a dedicated senior leader with overall responsibility for championing and improving attendance. | Take an active role in attendance improvement, support their school(s) to prioritise attendance, and work together with leaders to set whole school cultures.<br><br>Ensure school leaders fulfil expectations and statutory duties.<br><br>Use data to understand patterns of attendance, compare with other local schools, identify areas of progress and where greater focus is needed.<br><br>Ensure school staff receive training on attendance. | Have a strategic approach to improving attendance for the whole area and make it a key focus of all frontline council services.<br><br>Have a School Attendance Support Team that works with all schools in their area to remove area-wide barriers to attendance.<br><br>Provide each school with a named point of contact in the School Attendance Support Team who can support with queries and advice.<br><br>Offer opportunities for all schools in the area to share effective practice. |

## Pupils at risk of becoming persistently absent

| Parents are expected to: | Schools are expected to: | Academy trustees and governing bodies are expected to: | Local authorities are expected to: |
|---|---|---|---|
| Work with the school and local authority to help them understand their child's barriers to attendance.<br><br>Proactively engage with the support offered to prevent the need for more formal support. | Proactively use data to identify pupils at risk of persistent absence.<br><br>Work with each identified pupil and their parents to understand and address the reasons for absence, including any in-school barriers to attendance.<br><br>Where out of school barriers are identified, signpost and support access to any required services in the first instance and act as lead practitioner if attendance is the only issue and/or the local threshold for formal early help is not met.<br><br>If the issue persists, take an active part in the multi-agency effort with the local authority and other partners. If a case meets the local threshold for formal early help/family support, this includes conducting the early help assessment and acting as the lead practitioner where all partners agree that the school is the best placed lead service. Where the lead practitioner is outside of the school, continue to work with the local authority and partners. | Regularly review attendance data and help school leaders focus support on the pupils who need it. | Hold a regular conversation with every school to identify, discuss and signpost or provide access to services for pupils who are persistently or severely absent or at risk of becoming so.<br><br>Where there are out of school barriers, provide each identified pupil and their family with access to services they need in the first instance.<br><br>If the issue persists, and there are multiple needs consider whether the threshold for early help is met and facilitate access where it is. Regardless, take an active part in the multi-agency effort with the school and other partners. Provide the lead practitioner in cases where threshold is met and all partners agree that a local authority service is best placed to lead. Where the lead practitioner is outside of the local authority, continue to work with the school and partners. |

## Persistently absent pupils

| Parents are expected to: | Schools are expected to: | Academy trustees and governing bodies are expected to: | Local authorities are expected to: |
|---|---|---|---|
| Work with the school and local authority to help them understand their child's barriers to attendance.<br><br>Proactively engage with the formal support offered – including any parenting contract or voluntary early help plan to prevent the need for legal intervention. | Continue support as for pupils at risk of becoming persistently absent and:<br><br>Where absence becomes persistent, put additional targeted support in place to remove any barriers. Where necessary this includes working with partners.<br><br>Where there is a lack of engagement, hold more formal conversations with parents and be clear about the potential need for legal intervention in future.<br><br>Where support is not working, being engaged with or appropriate, work with the local authority on legal intervention.<br><br>Where there are safeguarding concerns, intensify support through a referral to statutory children's social care.<br><br>Work with other schools in the local area, such as schools previously attended and the schools of any siblings. | Regularly review attendance data and help school leaders focus support on the pupils who need it. | Continue support as for pupils at risk of becoming persistently absent and:<br><br>Work jointly with the school to provide formal support options including attendance contracts and education supervision orders.<br><br>Where there are safeguarding concerns, ensure joint working between the school, children's social care services and other statutory safeguarding partners.<br><br>Where support is not working, being engaged with or appropriate, enforce attendance through legal intervention (including prosecution as a last resort). |

## Severely absent pupils

| Parents are expected to: | Schools are expected to: | Academy trustees and governing bodies are expected to: | Local authorities are expected to: |
|---|---|---|---|
| Work with the school and local authority to help them understand their child's barriers to attendance.<br><br>Proactively engage with the formal support offered – including any parenting contract or voluntary early help plan to prevent the need for legal intervention. | Continue support as for persistently absent pupils and:<br><br>Agree a joint approach for all severely absent pupils with the local authority. | Regularly review attendance data and help school leaders focus support on the pupils who need it. | Continue support as for persistently absent pupils and:<br>All services should make this group the top priority for support. This may include a whole family plan, consideration for an education, health and care plan, or alternative form of educational provision.<br><br>Be especially conscious of any potential safeguarding issues, ensuring joint working between the school, children's social care services and other statutory safeguarding partners. Where appropriate, this could include conducting a full children's social care assessment and building attendance into children in need and child protection plans. |

## Support for cohorts of pupils with lower attendance than their peers

| Parents are expected to: | Schools are expected to: | Academy trustees and governing bodies are expected to: | Local authorities are expected to: |
|---|---|---|---|
| Not applicable. | Proactively use data to identify cohorts with, or at risk of, low attendance and develop strategies to support them.<br><br>Work with other schools in the local area and the local authority to share effective practice where there are common barriers to attendance. | Regularly review attendance data and help school leaders focus support on the pupils who need it. | Track local attendance data to prioritise support and unblock area wide attendance barriers where they impact numerous schools. |

## Support for pupils with medical conditions or SEND with poor attendance

| Parents are expected to: | Schools are expected to: | Academy trustees and governing bodies are expected to: | Local authorities are expected to: |
|---|---|---|---|
| Work with the school and local authority to help them understand their child's barriers to attendance.<br><br>Proactively engage with the support offered. | Maintain the same ambition for attendance and work with pupils and parents to maximise attendance.<br><br>Ensure join up with pastoral support and where required, put in place additional support and adjustments, such as an individual healthcare plan and if applicable, ensuring the provision outlined in the pupil's EHCP is accessed.<br><br>Consider additional support from wider services and external partners, making timely referrals.<br><br>Regularly monitor data for such groups, including at board and governing body meetings and with local authorities. | Regularly review attendance data and help school leaders focus support on the pupils who need it. | Work closely with relevant services and partners, for example special educational needs, educational psychologists, and mental health services, to ensure joined up support for families.<br><br>Ensure suitable education, such as alternative provision, is arranged for children of compulsory school age who because of health reasons would not otherwise receive a suitable education. |

## Support for pupils with a social worker

| Parents are expected to: | Schools are expected to: | Academy trustees and governing bodies are expected to: | Local authorities are expected to: |
|---|---|---|---|
| Work with the school and local authority to help them understand their child's barriers to attendance.<br><br>Proactively engage with the support offered. | Know who the pupils who have, or who have had, a social worker are.<br><br>Understand how the welfare, safeguarding, and child protection issues that they are experiencing, or have experienced, can have an impact on attendance – whilst maintaining a culture of high aspiration for the cohort.<br><br>Provide additional academic support and make reasonable adjustments to help them, recognising that even when statutory social care intervention has ended, there can be a lasting impact on children's educational outcomes.<br><br>Work in partnership with the local authority at a strategic and individual level, sharing data on attendance including, at an individual level, informing the pupil's social worker if there are any unexplained absences and if their name is to be deleted from the register. | Regularly review attendance data and help school leaders focus support on the pupils who need it. | Ensure that all Children's Social Care practitioners, understand the importance of good attendance for pupil's educational progress, for their welfare and their wider development – and understand their role in improving it.<br><br>Through the work of Virtual School Heads, they should:<br>• Undertake systemic monitoring and data sharing of the attendance of children with a social worker in their area: developing and implementing targeted cohort level interventions to improve attendance.<br>• Provide advice, challenge and training to schools on how to promote and secure good attendance for children with a social worker.<br>• Develop whole system approaches, with social care, to support the attendance of children in need. |

## Looked after and previously looked after children

| Parents are expected to: | Schools are expected to: | Academy trustees and governing bodies are expected to: | Local authorities are expected to: |
|---|---|---|---|
| Work with the school and local authority to help them understand the child's barriers to attendance – including the development of Personal Education Plans.<br><br>Proactively engage with the support offered. | Have high expectations for the cohort – with expert support and leadership provided by the designated teacher for looked-after and previously looked-after pupils.<br><br>Work in partnership with the local authority Virtual School Head to develop and deliver high quality Personal Education Plans for looked-after children that support good attendance.<br><br>Work directly with parents to develop good home-school links that support good attendance. For previously looked-after pupils this could include discussion on use of the Pupil Premium Plus funding managed by the school. | Designate a member of staff to have responsibility for the promotion of the educational achievement of looked-after and previously looked-after pupils.<br><br>Monitor and review attendance of the cohort and consider how school policies, including behaviour policies, are sensitive to their needs and support good attendance. | Promote the educational achievement of looked-after and previously looked-after children – doing everything possible to minimise disruption to education when a pupil enters care.<br><br>(LA that looks after the child:) Appoint an expert Virtual School Head (VSH) – will:<br><br>• Monitor, report on, and evaluate the education outcomes of looked after children, including their attendance, as if they attended a single school- whenever they live or are educated.<br>• Ensure schools know when they have a pupil looked after by the authority on their role and that information is shared with the school on issues that may impact on their attendance.<br>• Ensure that all looked-after pupils have high quality, up to date, effective Personal Education Plans developed in partnership with schools, social workers and carers – including, where necessary, clear interventions and use of pupil premium plus funding to support good attendance.<br>• Provide expert advice and information on the education of previously looked-after pupils to schools and parents – including their attendance. |

## Monitoring

| Parents: | Schools: | Academy trustees and governing bodies: | Local authorities: |
|---|---|---|---|
| Schools regularly update parents on their child's attendance.<br><br>(If parents feel the school and or local authority have not not delivered what they are expected to they should discuss the case with the school and/or local authority's attendance support team.) | The school's Senior Attendance Champion will ensure all school based staff complete their attendance responsibilities in line with the school's policies and procedures.<br><br>The governing board or academy trust will hold the headteacher or executive leadership to account for their delegated responsibilities and for compliance with regulatory and statutory requirements. They will review progress and provide challenge when required. The board will help school leaders focus improvement efforts on the individual pupils or cohorts who need it most and ensure that school staff receive adequate training on attendance.<br><br>Ofsted will expect schools to do all they reasonably can to achieve the highest possible attendance as part of the behaviour and attitudes judgement. This includes, where attendance is not consistently at or above what could reasonably be expected, that schools have a strong understanding of the causes of absence (particularly for persistent and severe absence) and a clear strategy in place that takes account of those causes to improve attendance for all pupils.<br><br>Ultimately, in cases where a school has not met expectations or statutory duties the Secretary of State can consider a complaint. | DfE Regions Group considers multi academy trusts' efforts on attendance as part of decision making.<br><br>Ofsted considers governing bodies' efforts as part of inspections. | DfE Regions Group monitors local authority efforts as part of regular interaction.<br><br>Ofsted may consider the local area partnership's approach to improving attendance of children and young people with SEND as part of the SEND Area Inspection, and the local authority's approach to improving attendance for children with a social worker through inspecting local authority children's services.<br><br>Ultimately, in cases where a local authority has not met expectations or statutory duties the Local Government and Social Care Ombudsman or the Secretary of State can consider a complaint. |

# Annex B

# SANDWELL CODE OF CONDUCT

Schools Attendance Support Service – updated June 2025

PENALTY NOTICE CODE OF CONDUCT

1. The purpose of this local code of conduct is to ensure that penalty notices for school absence are issued in a manner that is fair and consistent across Sandwell. The code sets out the arrangements for administering penalty notices in Sandwell and must be adhered to by anyone issuing a penalty notice for school absence in this area. The code complies with relevant regulations and the Department for Education's national framework for penalty notices as set out in the 'Working together to improve school attendance' guidance.

Consultation
2. This code has been drawn up in consultation with the headteachers and governing bodies of state funded school and the local police force.

Legal Basis
3. The regular, punctual attendance of pupils at the school where they are registered is both a legal requirement and essential for students to maximise the educational opportunities available to them.
4. Penalty notices may be issued to a parent as an alternative to prosecution for irregular school attendance under s444 of the Education Act 1996. They can only be issued in relation to pupils of compulsory school age in maintained schools, pupil referral units, academy schools, alternative education provision academies, and certain off-site places as set out in section 444A(1)(b).
5. The Education (Penalty Notices) (England) Regulations 2007 (as amended) set out how penalty notices for school absence must be used.
6. A penalty notice can only be issued by an authorised officer, that is, a headteacher or a deputy or assistant head authorised by them, an authorised local authority officer or a police constable. In Sandwell, penalty notices will be issued by authorised local authority officers at the request of a Head Teacher, someone authorised by them, or at the request of a police officer.
7. The national framework for penalty notices is published in statutory guidance 'Working together to improve school attendance'. It provides further national guidance on the operation of penalty notice schemes for school absence in England.
8. Schools and the local authority will decide which parent(s) to involve in attendance legal intervention according to the circumstances of each individual case.
9. A parent includes any person who is not a parent but who has parental responsibility for the child or who has care of the child, as set out in section 576 of the Education Act 1996. Penalty notices will usually be issued to the parent or parents with day-to-day responsibility for the pupil's attendance or the parent or parents who have allowed the absence, regardless of which parent has applied for a leave of absence.

Rationale
10. Research published by the Department for Education in May 2022 found pupils with higher attainment at KS2 and KS4 had lower levels of absence over the key stage compared to those with lower attainment.
~ Pupils who did not achieve the expected standard in reading, writing and maths in 2019 had an overall absence rate of 4.7% over the key stage, compared with 3.5% among pupils who achieved the expected standard and 2.7% among those who achieved the higher standard.
~ Pupils who did not achieve grade 9 to 4 in English and maths GCSEs in 2019 had an overall absence rate of 8.8% over the key stage, compared with 5.2% among pupils who achieved a grade 4 and 3.7% among pupils who achieved grade 9 to 5 in both English and maths.
11. For the most vulnerable pupils, regular attendance is also an important protective factor and often the best opportunity for needs to be identified and support provided.
12. Where difficulties arise with school attendance, professionals should take a 'support first' approach in line with the DfE's 'Working together to improve school attendance' guidance, only resorting to legal enforcement when necessary. The aim is that the need for legal enforcement is reduced by taking a supportive approach to tackle the barriers to attendance and intervening early before absence becomes entrenched.
13. The national framework for penalty notices is based on the principles that penalty notices should only be used in cases where:

~ support is not appropriate (for example, where a term time holiday has been taken) or where support has been provided and not engaged with or not worked, and
~ they are the most appropriate tool to change parental behaviour and improve attendance for that family.

Circumstances where a penalty notice for absence may be appropriate

National Threshold of 10 sessions in 10 school weeks

14. The national threshold is met when a pupil has been recorded as absent for 10 sessions (usually equivalent to 5 school days) within 10 school weeks, with one of, or a combination of the following codes:
~ Code G: the pupil is absent without leave for the purpose of a holiday
~ Code N: the circumstances of the pupil's absence have not yet been established
~ Code O: none of the other rows of Table 3 in Regulation 10(3) of the School Attendance (Pupil Registration) (England) Regulations 2024 applies)
~ Code U: the pupil attended after the taking of the register ended but before the end of the session, where no other code applies)
15. A school week means any week (Monday to Sunday) in which there is at least one school session. The 10 school-week period may span different terms or school years – for example: 2 sessions of unauthorised absence in the summer term in one school year and a further 8 within the autumn term of the next school year.
16. When a school becomes aware that the national threshold has been met, they must consider whether a penalty notice can and should be issued or not and where appropriate, a referral made to the Council's Schools Attendance Support Service.

Truancy Sweep

17. During or following a truancy sweep, a penalty notice may be issued in relation to the absence and the local authority will retain the discretion to issue a penalty notice before the national threshold is met.

Excluded pupils

18. Where parents allow their child to be present in a public place during school hours without reasonable justification during the first 5 days of a fixed period or permanent exclusion.

Repeated penalty notices

19. If repeated penalty notices are being issued and they are not achieving the desired change in behaviour, they may not be most appropriate tool. The national framework for penalty notices sets out that a maximum of 2 penalty notices per child, per parent can be issued within a rolling 3-year period.

Key considerations prior to the issue of a penalty notice for school absence

20. The following considerations will be made before issuing a penalty notice to ensure consistency of approach.
21. Where children do not have current attendance concerns and where support is not appropriate (for example, where the parent takes the child on an unauthorised leave of absence in term time), consideration will be given to:
~ Is a penalty notice the best available tool to improve attendance and change parental behaviour or would one of the other legal interventions be more appropriate?
~ Is issuing a penalty notice in this case appropriate after considering any obligations under the Equality Act 2010
~ Is it in the public interest to issue a penalty notice in this case given the local authority would be accepting responsibility for any resulting prosecution for the original offence in cases of non-payment?
22. In cases where support is appropriate to address historic / ongoing irregular attendance concerns, consideration will be given to:
~ Has sufficient support been provided? Support is defined as any activity intended to improve the pupil's attendance and should be tailored to the individual circumstances relating to the pupils absence. Where appropriate schools should work closely with the appropriate partner agencies.
~ Is a penalty notice the best tool available likely to improve attendance and change parental behaviour for this family or would one of the other legal interventions be more appropriate?
~ Is issuing a penalty notice in this case appropriate after considering any obligations under the Equality Act 2010
~ Is it in the public interest to issue a penalty notice in this case given the local authority would be accepting responsibility for any resulting prosecution for the original offence in cases of non-payment?
23. If the answer to the above questions is 'yes', then a penalty notice (or a notice to improve in cases where support is appropriate) will usually be issued, providing it is in the public interest to do so.

Notice to improve

24. A notice to improve is a final opportunity for a parent to engage in support and improve attendance before a penalty notice is issued. If the national threshold has been met and support is appropriate but offers of support have not been

engaged with by the parent or have not worked, a notice to improve should usually be sent to give parents a final chance to engage in support.
25. A notice to improve may be issued by either the school or the local authority.
26. The school and/or the local authority will determine whether a notice to improve is appropriate or not. It may not be appropriate where it is not expected to have any impact on a parent's behaviour (e.g. the parent has already received one for a similar offence).
27. A notice to improve must state the timescales for the improvement period which should be no more than 20 school days. School will monitor attendance during the improvement period following a notice to improve being issued.
28. Where there has been sufficient and/or sustained improvement of attendance, it is not expected that further legal intervention will be necessary at that stage. If there has been no or insufficient improvement of attendance, further consideration will be given to the issue of a penalty notice.

Penalty notices issued for absences from 2024/25 school year onwards
29. For issuing penalty notices for absences occurring after the start of the 2024/25 school year, the "proceeding 3-year period" means the period of 3 years ending with the date on which the penalty notice is issued.
30. Where no penalty notice has been issued to the parent in respect of an individual child in the preceding 3-year period, the amount of the penalty is £80 where the amount is paid within the period of 21 days beginning with the date on which the notice is issued, rising to £160 between days 21 and 28.
31. Where a penalty notice has been issued to the parent in respect of an individual child in the preceding 3-year period, the amount of the penalty is £160 and is payable within 28 days.
32. Where 2 previous penalty notices have been issued and the national threshold is met for a third time (or subsequent times) within the rolling 3-year period, a penalty notice will not be issued. Instead, an alternative strategy or legal intervention will be used having considered any previous penalty notices which were unpaid and any subsequent prosecution of offences.
33. For the purpose of the escalation process, previous penalty notices include those not paid (including where prosecution was taken forward if the parent pleaded or was found guilty) but not those which were
~ withdrawn
~ issued in respect of an excluded pupil
~ issued in respect of an absence prior to the start of the 2024/25 school year

Withdrawing a penalty notice
34. A penalty notice may be withdrawn if
~ it ought not to have been issued or issued to the person named as the recipient;
~ the notice contains material errors;
~ the issuer did not comply with this code of conduct; or
~ after the expiry of the last date for payment the penalty notice is unpaid and the local authority has neither instituted proceedings for the offence to which the notice relates nor is contemplating such proceedings.
35. Where a penalty notice has been withdrawn, notice of the withdrawal shall be given to the parent and any amount paid by way of penalty in pursuance of that notice shall be repaid to the person who paid it.
36. No proceedings shall be continued or instituted against the parent for the offence about which the withdrawn notice was issued or for an offence under S444 of the Education Act 1996 arising out of the same circumstances, except where it was withdrawn due to a material error and a further penalty notice was issued at the same time as withdrawal of the original notice.

Payment of penalty notices
37. The arrangements for the paying penalties will be detailed on the penalty notice. The local authority will retain any revenue to cover enforcement and administration of justice costs as detailed in legislation.
**There is no statutory right of appeal to the local authority against the issue of a penalty notice. The local authority issue penalty notices at the request of the Headteacher/Principal. Any dispute/challenge about penalty notices must be referred to Headteacher/Principal.**

How authorised officers will work together
38. Authorised officers should work together to ensure that penalty notices are used when likely to be effective and change behaviour.
39. On receipt of the relevant referral form(s) from the school or the police, the local authority will continue to issue penalty notices on their behalf.
40. An authorised local authority officer will decide whether proportionate support has been provided, and whether that support has worked or not.

41. The local authority will inform the school if, and why, a referral is not being progressed. It will also inform the school about whether penalty notices are paid, withdrawn or the case is to be prosecuted for the original offence. They will do this half termly by way of email.
42. Where pupils move between local authority areas and it is necessary to establish whether a penalty notice has previously been issued, Sandwell can be contacted by email at crossborder_pn@sandwell.gov.uk 43. Where pupils attend school within Sandwell but live in a different local authority area, Sandwell will accept referrals from Sandwell schools for children on their roll.

## Annex C – Illness Absence Guidance

**DfE external document template (childrenscommissioner.gov.uk)**