

# Ysgol Gynradd Llanganna



## Llangan Primary School

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### Attendance Policy

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# Attendance Policy

DOCUMENT INFORMATION			
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**UNCRC Article 28 - The Right to Education:** This article emphasises every child's right to education and the obligation of schools and governments to ensure access to quality education. Incorporating this article underscores the importance of consistent school attendance in fulfilling a child's right to learn and achieve their potential.

**UNCRC Article 3 - The Best Interests of the Child:** This article states that the best interests of the child must be a primary consideration in all decisions affecting them. A school attendance policy can reflect how regular attendance supports the child's academic progress, social development, and overall well-being.

## Introduction

We expect all children on roll to attend every day, when the school is in session, as long as they are fit and healthy enough to do so. We do all we can to encourage the children to attend, and to put in place appropriate procedures. We believe that the most important factor in promoting good attendance is development of positive attitudes towards school. To this end, we strive to make our school a happy and rewarding experience for all children. We will reward those children whose attendance is very good. We will also make the best provision we can for those children who, for whatever reason, are prevented from coming to school.

The Vale of Glamorgan School Improvement and Inclusion Service aims to:

***Promote and support excellent school attendance by direct work with schools, pupils and their families.***

The importance of regular attendance cannot be overestimated. It is a prerequisite to a good education and securing it must be a high priority for schools and their governing bodies, as well as for parents and pupils. Pupils who fail to attend regularly not only diminish the value of the education provided but may also jeopardise their future life chances to succeed.

The Local Authority (LA) encourages schools to adopt a **whole school approach** to attendance. This requires commitment from all staff employed within the school, together with governors, parents, pupils and the LA.

This approach relates to a wide range of other issues, including punctuality, rewards and incentives, re-integration of long-term absentees, curricular differentiation, home-school links and the role of the Education Welfare Service (EWS).

## **Legal Framework**

Section 7 of the Education Act 1996 states that “..... *the parent of every child of compulsory school age shall cause him/her to receive full-time education suitable to his/her age, aptitude and ability and to any special education needs he/she may have, either by regular attendance at school or otherwise ... ..*”

Section 444 further states that “... .. *the parent of a child of compulsory school age registered at school and failing to attend regularly is guilty of an offence punishable in law ... ..*”

An offence is not committed if it can be demonstrated that:

- the pupil was absent with leave (authorised absence)
- the pupil was ill or prevented from attending by unavoidable cause
- the absence occurred on a day set aside for religious observance by the religious body to which the pupil/parents belong
- the school is not within the prescribed walking distance of the child's home and suitable transport arrangements have not been made by the LA

### **The Act also places a legal obligation on:**

- the LA to provide and enforce attendance
- the schools to register attendance and notify the LA of a child's absence from school. (Welsh Assembly circular 47/2006) and the Education (Pupil Registration) (Wales) Regulations 2010.

### **The Legislative Framework:**

- The following legislation, guidelines and documents underpin this policy:
- Education Act 1996
- Children Act 1989
- Children Act 2004
- Education and Inspections Act 2006
- SEN Code of Practice for Wales 2004
- The Learning Country and Learning Country II: Vision into Action, WAG (2006)
- School Effectiveness Framework
- The National Model for School Improvement
- National Service Framework for Children, Young People and Maternity Services in Wales, WAG (2005)
- Children and Young People's Workforce Development Strategy
- Behaving and Attending: Action Plan Responding to the National Behaviour and Attendance Review, WAG (2009)
- Inclusion and Pupil Support, WAG Circular 47/2006
- Exclusion from Schools and Pupil Referral Units, WAG Circular 001/2004
- Improving Attendance 2006, Estyn
- Education (Admission of Looked After Children) (Wales) Regulations 2009
- The Education (Penalty Notices) (Wales) Regulations 2013
- Right of the Children and Young Persons (Wales) Measure 2011
- United Nations Convention on the Rights of a Child (the right to an education)

Services for children and young people with emotional and mental health needs, Wales Audit Office and Healthcare Inspectorate Wales, 2009

### **Definitions**

- a) Compulsory school age - Under Section 8 of the Education Act 1996, children and young people should attend school from the start of the first term commencing after their fifth birthday. The end of term dates are 31 March, 31 August and 31 December. A young person ceases to be of compulsory school age on the last Friday in June of the school year in which they have their 16th birthday.
- b) The definition of 'parent' is set out in section 576 of the Education Act 1996 and includes:
  - i. all natural parents, whether they are married or not;
  - ii. any person who, although not a natural parent, has parental responsibility (as defined in the Children Act 1989) for a child or young person; and
  - iii. any person who, although not a natural parent, has care of a child or young person.
- c) Having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law.
- d) Walking Distance - As defined by Section 3 of the Learner Travel (Wales) Measure 2008:
  - i. in relation to a primary school aged child receiving education at a maintained school, a non-maintained special school, a Pupil Referral Unit or independent school named in a statement maintained for the child, means two miles (3.218688 kilometres), and

- ii. in relation to a secondary school aged child receiving education at a maintained school, a non-maintained special school, a Pupil Referral Unit or independent school named in a statement maintained for the child, means three miles (4.828032 kilometres).

In each case measured by the nearest available route which is safe to walk either escorted or unescorted.

- e) Full-time education - Inclusion and Pupil Support 47/2006 defines full time education as:

Key Stage 1: 21 hours

Key Stage 2: 23.5 hours

Key Stage 3 / 4 (Including Year 10 only): 24 hours

Key Stage 4 (Year 11): 25 hours

## School Attendance Register

Schools are required under The Education (Pupil Registration) (Wales) Regulations 2010, to take an attendance register twice a day; at the start of the morning session and once during the afternoon session. The register may be requested in a court of law as evidence in a prosecution for non-attendance. It may also contribute information to pupils' end-of-term reports, records of achievement and leavers' references. An accurate and consistent registration system is crucial if poor attendance and punctuality within a school are to be tackled. It is vital that pupils are aware that registration is a significant part of the school day.

All staff involved with the registration process should be made aware that the law is specific regarding the keeping of registers. Marking and keeping the register is of the utmost importance.

Unauthorised absence is absence without approval from an authorised representative of the school and includes all unexplained absences. The decision taken by the school to give or withhold authorisation for an absence is a critical factor in determining the local authority's decision to prosecute parents as prosecution is only possible for unauthorised absences. There will be occasions when the school may authorise a pupil's absence and hence no offence is deemed to have been committed.

It is important that schools exercise caution in the authorisation of absence. If they are suspicious of the explanation given by parents, the absence should be further investigated and left unauthorised until the matter has been clarified to the satisfaction of the school. The decision taken by the school to authorise absence or not, is of critical importance in determining the level of involvement of the EWS. If the school has authorised a pupil's absence they have, in effect, given leave, therefore there is no case in law for the parents to answer.

It should be noted that it is an offence not to maintain accurate registers. Detailed guidance on attendance codes (revised 2010) can be found in Annex 4i in the Pupil Support Guidance Document

## Absence

It is important to emphasise that there are two different types of absence, **authorised** and **unauthorised**, and that unauthorised absence is perceived as truancy which could ultimately result in the Education Welfare Service (EWS) having to prosecute parents for the non school attendance of their child/ren.

Parents should be reminded that **it is only the head teacher who may decide whether an absence is to be authorised or unauthorised**. Parents should also be made aware that a letter does not in itself authorise an absence, only the school's acceptance of the explanation offered by the letter authorises the absence. It is important to clarify precisely what constitutes authorised or unauthorised absence. Examples of authorised absence include:

- Sickness
- Unavoidable medical/dental appointments
- Days of religious observance
- Exceptional family circumstances, such as bereavement

### Authorised Absence

Only a Head teacher can authorise an absence. Parents and the LA do not have the power to authorise absences.

The key points head teachers should consider when deciding to authorise absence are:

- It is a legal requirement that registered pupils of compulsory school age attend school regularly and punctually
- Schools are not obliged to accept a parental explanation for pupil absence where there is doubt as to the validity of that explanation
- Parents should be aware that only **the head teacher** has the right to agree to a pupil's absence for family holidays in term time. Each application for leave should be considered in view of the specific circumstances of the family in line with their previous attendance record
- Schools should always expect regular and punctual attendance, even when the school is aware of family difficulties
- An explanation is required for every absence. If one is not forthcoming the absence will be treated as unauthorised
- Where absence is authorised, schools should remain vigilant to emerging patterns of non-attendance
- Lateness should be actively discouraged and persistent lateness treated in the same way as irregular attendance

### Unauthorised Absence

Unauthorised absence is absence without approval from the head teacher of the school and includes all unexplained absences. Thus, the decision taken by the head teacher to give, or withhold, authorisation for an absence, is critical in determining the LA's approach to any attendance case; for if a child's absence is approved by the Head teacher, for whatever reasons, no offence is deemed to have been committed and the EWS cannot consider prosecuting parents.

If schools are suspicious of the explanation given by parents, the absence should be recorded as unauthorised until further investigations have clarified the circumstances to the satisfaction of the school.

### The Role of Parents

- Parents and guardians have a duty to ensure that their child of compulsory school age receives suitable full-time education (Education Act 1996, Section 7) suitable to his/her age, ability and aptitude and any special educational needs s/he may have
- They are responsible for ensuring their child arrives at school on time
- They should ensure that their child stays at school for the day unless alternative arrangements are made
- Parents and guardians are responsible for informing schools of the reason for their child's absence as soon as possible, preferably on the first day of absence
- Parents may allow their child to be absent from school:
  - i. with the permission of the head teacher for a day of religious observance or participation in significant sporting/cultural events
  - ii. because they live beyond the statutory walking distance and no transport has been provided by the LA (unless the parent has chosen a school outside the prescribed catchment area)
  - iii. because he or she is prevented from attending school by an unavoidable cause directly affecting the pupil (e.g. illness)
- Parents are discouraged from taking their child out of school for holidays.
- They are encouraged to see themselves as partners with schools in the education of their children

## Parentally Condoned Absence

Parentally condoned absence is more difficult to identify than any other form. If there is reason to doubt that the explanation offered about a particular absence is genuine, the absence should be treated as unauthorised. Since all absences are to be treated as unauthorised unless and until schools agree on a satisfactory explanation, it is important that schools have procedures, consistently applied, to pursue explanations and for amending registers (Welsh Assembly Circular 47/2006, p. 73). Such procedures would indicate a request for medical advice from the school nurse via the community medical officer regarding non-school attendance.

Pupils are not expected to attend school when they are not well enough to do so whether as a result of short term, long term or recurring illnesses. However, they should not be kept away from school when they are well enough to go to lessons or when they have minor ailments which do not prevent them from taking part in their education. It would be useful to consider whether the ailment would keep parents and teachers away from work.

Schools should have an established system in place to enable parents / carers to report their child's absence because of illness. It is reasonable for the school to ask the nature of the illness, ask the parent the expected length of absence and make arrangements for the parent to call the school again if the situation changes.

Schools have the right to consider whether to accept the parent / carers position with regard to medical absence as there are occasions when parents report parentally condoned absence to the school as medical absence. If the school has concerns that the illness may not either be genuine or warrant the amount of absence accruing, the school may ask the parent to substantiate the illness by asking to see additional evidence such as a medical appointment card.

However, staff should not request additional evidence every time pupils miss school due to illness. Restricting such requests to when the school has concerns that a pupil was not ill or that the illness was trivial and did not warrant time off reduces the administrative burden on schools. Schools and local authority staff should also be aware of the pressure they could place on doctors' appointment systems if they request a Doctor's Note every time pupils are ill. They should also be aware of the limited value that such notes have if a doctor did not treat the pupil for the illness. Schools should have a clear policy to address incidences of recurring absence where illness is given as a reason, but there are indications or concerns that this may not be the case. In some schools, 10 sessions of illness that appear unfounded can result in the pupil and parent or carer being offered an appointment with the school nurse.

## Holidays in Term Time

The Education (Pupil Registration) (Wales) Regulations 2010, give schools discretionary power to grant leave for the purpose of family holiday during term time. Parents do not have an automatic right to withdraw their child from school for a holiday and, in law, must apply for permission from the school in advance.

Schools within the VOG should only authorise family holidays where parents are able to demonstrate that unique or exceptional circumstances prevent the holiday from being taken outside of term time. In general, holidays during term time should not be authorised. The decision to authorise absence is at the headteacher's discretion, but it is the VOG's policy that absences will not be granted during term time and will only be authorised in exceptional circumstances based on the school's assessment of the situation. It is the VOG's view that term times are for education. This is the priority.

Children and families have 175 days off school to spend time together, including weekends and school holidays. For this reason, schools will rightly prioritise attendance to school.

If an event can reasonably be scheduled outside of term time, it would not be normal to authorise absence. Absence during term time for holidays is therefore not considered an exceptional circumstance. The considerations that the school will ascertain whether the request is because of an exceptional circumstance are outlined below:

- Where a parent or child is experiencing a life limiting illness

- Absences to visit family members are also not usually granted during term time if they could be scheduled for holiday periods outside school hours. Children may however need time to visit seriously ill relatives
- Families may need time to recover from trauma, crisis or bereavement involving an immediate relative, i.e.: parent, guardian, carer, sibling, or grandparent

- Absence for a bereavement of a close family member, is usually considered an exceptional circumstance but for the funeral service only, not extended leave
- Absences for important religious observances, civil or ceremonial activity are often considered but only for the ceremony and travelling time, not extended leave. This is intended for a one-off situation rather than regular recurring events
- The needs of families of service personnel will be considered if they are returning from long operational tours that prevent contact during scheduled holiday times Any examples provided are illustrative rather than exhaustive. The fundamental principles for defining 'exceptional' are rare, significant, unavoidable, and short. By 'unavoidable' we mean an essential event that could not so reasonably be scheduled at another time.

### **Procedure for potential CME**

If a school believes a child or family have gone missing, they should NOT remove any child from their roll without first completing the CME checklist procedures found in the Welsh Government Guidance below – Appendix 9 and then referring to the Inclusion Team for support - [InclusionTeamReferrals@valeofglamorgan.gov.uk](mailto:InclusionTeamReferrals@valeofglamorgan.gov.uk) [statutory-guidance-help-prevent-children-young-people-missing-education.pdf](https://www.gov.wales/statutory-guidance-help-prevent-children-young-people-missing-education.pdf) (gov.wales) Where a pupil is missing for 10 school days, the school should notify the VOG Inclusion Team on the tenth day of school absence. Email your completed 'Children and Young People Missing

### **Overview of Roles and Responsibilities of Education Welfare Service:**

The EWS provide support to schools, pupils and parents to ensure regular attendance and address problems relating to absenteeism. The Service liaises with other agencies and provides an important link between home and school helping parents and teachers to work in partnership in order that pupils benefit from the educational opportunities available locally.

The EWS acts on behalf of the local authority in enforcing a parent's duty to provide appropriate education. The main function of the EWS is to improve overall attendance and pupil wellbeing and to reduce persistent absence in all schools and alternative education provision. However, in many instances the EWS also undertake other related duties, which may include:

- regulating child employment and performance licences for school age children;
- regulating chaperone licences
- helping to arrange alternative educational provision for individual pupils;
- advising on children being educated otherwise than at school; and
- advising on safeguarding children in education.

The main role of the EWS in the Vale of Glamorgan is to:

- contribute to the local authority and school's drive for school effectiveness;
- work in partnership with schools, pupils, parents and communities to ensure educational entitlement and regular attendance;
- link with a network of agencies providing education, health and social services for individuals with specific needs; and
- work effectively and proactively with school based staff to increase attendance, reduce absence and improve pupil wellbeing.

This is sought to be achieved through:

- promoting and supporting whole school attendance policies, particularly the Callio Strategy for Improving Attendance
- providing advice on proven good practice;
- working together with school staff, pupils, parents and relevant others on programmes designed to improve attendance level;

- undertaking individual work with pupils;
- undertaking family centred work;
- developing group work with pupils and parents;
- processing requests for Fixed Penalty Notices for Non-Attendance
- initiating statutory proceedings on behalf of the LA.

Importantly, legal action to enforce attendance can only be taken by the Vale of Glamorgan Council through its EWS.

### **Engaging and Working with Parents**

Parentally condoned absence is, in many ways, more difficult to identify than any other form of pupil absence. This form of absence is equally as damaging to the pupil's educational experience as any other form of absence. The parents, in many cases, perceive that they are keeping their child away from school for legitimate reasons. They may feel that they are protecting their child/children. It is essential when school staff feel that a pattern of non-attendance is emerging, they work closely with education, social and health support services to ensure the most appropriate and effective intervention is available to the pupil and parents.

Effective engagement is the bedrock on which all work with parents is built. Engagement should be underpinned by the values and principles that guide the work of the EWS. Key to this is respecting parents' rights and supporting them in meeting their responsibilities.

Parents of children from different cultures may feel that the school is not a safe or proper environment for their child. It is vital that schools investigate and endeavour to recognise cultural issues that may prevent a pupil from attending school. There are support services that will assist and advise schools and parents on ways forward when these difficulties arise.

A pupil's punctuality is a legal requirement and the parents / carers of a pupil who is persistently late are guilty of an offence. The law treats persistent lateness (after the close of the Register) in the same way as irregular attendance and parents can be prosecuted if late arrival is not resolved.

Parents can do a great deal to support the regular and punctual attendance of their children. In the Vale of Glamorgan we are committed to working with our parents and schools to support and encourage them to:

- take an active interest in their child's school life and work;
- attend, when possible, parents' evenings and other school events;
- ensure that their child completes his / her homework and goes to bed at an appropriate time;
- be aware of letters from school which their child brings home;
- ensure that their child arrives at school on time each day;
- ensure that their child only misses school for reasons which are unavoidable or justified, such as illness or days of religious observance;
- always notify the school as soon as possible - preferably on the first morning of any absence;
- confirm this in writing when the child returns to school;
- to ensure family holidays do not take place during term-time; and
- talk to the school if they are concerned that their child may be reluctant to go to school.

The Callio Attendance Strategy sets out the following:

- a clear agreement between the school and the local authority Education Welfare Service on the actions to be taken by the school, the EWS and the Callio Coordinator;
- the amount of support that schools can expect based on clear criteria including staff responsible for attendance as well as the responsibilities of the school on the appropriateness and timeliness of referrals etc.

### **The Role of the Local Authority**

Under section 437 of the Education Act 1996, the Vale of Glamorgan Council has a duty to ensure that a child for whom they are responsible is receiving a suitable education either by regular attendance at school or otherwise. Further information can be found in Section 4 of the 'Inclusion and Pupil Support' guidance document.

In September 2009 the Welsh Assembly Government commenced Section 436A of the Education and Inspections Act 2006 which requires that local authorities must make arrangements to enable them to establish (so far as it is possible to do so) the identities of children residing in their area who are not receiving a 'suitable education'.

Implementation of the duty under section 436A should be integrated with the wider range of duties placed on local authorities, including the Children's Act 2004 (sections 25-29) and the Welsh Assembly Government's Safeguarding Children Working Together under the Children's Act 2004 that aims to improve outcomes, and safeguard and promote the welfare of children.

New legislation has empowered designated Vale of Glamorgan Council Education Welfare Officers to issue Fixed Penalty Notices (FPNs) to parents of children and young people who have unauthorised absence from school. The issuing of FPNs is the responsibility of the EWS in response to requests made by head teachers, their nominated deputies and the police. (See Code of Conduct – Fixed Penalty Notice for Non-Attendance at School).

A School Attendance Order (SAO) applies in cases when a parent of a child of compulsory school age fails to prove that the child is receiving suitable education and where the authority believes the child should attend school. A SAO may be used to direct a parent to send their child to a specified school, and should be used when a pupil is not on roll at any school. They are not intended for pupils who attend irregularly.

- The LA is charged in law with enforcing attendance
- The LA can apply to the courts for an Education Supervision Order (Children Act 1989, Section 36) and where necessary can prosecute parents who fail to ensure their child's attendance at school (Education Act 1996, Section 444)
- The Education Welfare Service works on behalf of the LA with schools, Social Services, Youth Offending Service (YOS), the Police and other relevant agencies in helping parents and the LA to meet their statutory obligations on school attendance
- The LA works with schools to develop whole-school policies to improve pupils' attendance at school
- The LA liaises with the police in arranging and conducting truancy patrols when appropriate

Information on pupils' attendance is monitored by the Inclusion Service. This data is used to support schools in increasing their attendance levels and decreasing their frequency of unauthorised absence, particularly in relation to vulnerable groups.

- All schools to make data available to the LA, ideally in electronic format.
- The LA will collate and analyse attendance data to provide an appropriate targeted provision of services
- The figures are reported to the Directorate Management Team and considered by Scrutiny Committee, as part of the progress report of the directorate's service plans
- The Governing Body of each school should review its attendance policy on a regular basis

### **Strategies for promoting Good Attendance**

Parents and guardians receive regular information from the school (as well as a parent/carer information leaflet annually) stressing the importance of good attendance and highlighting the detrimental effect poor attendance can have on a child's education. This may take the form of Newsletters/SCHOOP alerts or termly printouts of their child's attendance.

The SELFIE survey is carried out with pupils on an annual basis and pupil's attitudes to attendance are carefully analysed. The issue will also be brought to the attention of the class teacher who will provide the relevant 'well-being' support such as circle time activities and discuss issues with parents during parent's evenings.

## **Monitoring and review**

It is the responsibility of the governors to monitor overall attendance, and they will be up-dated on a termly basis through the Headteacher Report. The governing body also has the responsibility for this policy, and for seeing that it is carried out. The governors will therefore examine closely the information provided to them, and seek to ensure that our attendance figures are as high as they should be.

The school will keep accurate attendance records on file for a minimum period of three years.

The rates of attendance will be reported in the school prospectus, and in the annual governors' report to parents.

Class teachers will be responsible for monitoring attendance in their class, and for following up absences in the appropriate way. If there is concern about a child's absence, they will contact the school office immediately.

This policy will be reviewed by the governing body every two years, or earlier if considered necessary.

**Should further advice or guidance on this policy be required please contact the Senior Education Welfare Officer on 01446 709113.**