# Crosslee Community Primary School

# **School Attendance Policy**



## February 2023

Review Date: February 2024

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#### 1. Introduction

- **1.1** Regular school attendance is essential if children are to achieve their full potential.
- **1.2** Crosslee Community Primary School believes that regular school attendance is the key to enabling children to maximise the educational opportunities available to them and become emotionally resilient, confident and competent adults who are able to realise their full potential and make a positive contribution to their community.
- **1.3** Crosslee Community Primary School values all pupils. As set out in this policy, we will work with families to identify the reasons for poor attendance and try to resolve any difficulties.
- **1.4** Crosslee Community Primary School recognises that attendance is a matter for the whole school community. Our Attendance Policy should not be viewed in isolation; it is a strand that runs through all aspects of school improvement, supported by our policies on safeguarding, bullying, behaviour and inclusive learning. This policy also takes into account the Human Rights Act 1998, the Equality Act 2010 and the Race Relations Act 2000.

This Policy aims to:

- Promote good attendance
- Reduce absence, including persistent and severe absence
- Ensure every pupil has access to the full-time education to which they are entitled
- Promote early identification to address patterns of absence
- Promote and support punctuality in attending lessons.

#### 2. Legal Framework

**2.1** This policy meets the requirements of the working together to improve school attendance from the Department for Education (DfE), and refers to the DfE's statutory guidance on school attendance parental responsibility measures. These documents are drawn from the following legislation setting out the legal powers and duties that govern school attendance:

Part 6 of The Education Act 1996

Part 3 of The Education Act 2002

Part 7 of The Education and Inspections Act 2006

<u>The Education (Pupil Registration) (England) Regulations 2006 (and 2010, 2011, 2013, 2016 amendments)</u>

The Education (Penalty Notices) (England) (Amendment) Regulations 2013

This policy also refers to the DfE's guidance on the school census, which explains the persistent absence threshold.

**2.2** Legal proceedings are a statutory intervention used by the local authority against the parents of registered pupils who fail to attend regularly at school. Parents whose children are on a school register and fail to ensure the regular and punctual attendance of their child(ren),

may be guilty of an offence under Section 444(1) or 444(1A) of the Education Act 1996 and the authority may take enforcement action through the courts to secure regular attendance. Legal proceedings are not used as a punishment to parents for their pupil's absence from school; they are a supportive measure intended to make parents realise the importance of attendance and to avoid further absence from school.

- 2.3 Section 7 of the 1996 Education Act states that parents must ensure that children of compulsory school age receive efficient full-time education suitable to their age, ability and aptitude to any special educational needs they may have, either by regular attendance at school or otherwise. A prosecution can take place against any person who has parental responsibility for the child's education or who has care of the child. Parents have a legal duty to make sure that their children are properly educated. It is the parent's responsibility to ensure that their children attend school regularly and arrive on time. If you allow your child to be absent from school without good reason, the school will not authorise the absence, you may be committing an offence, and you could be issued with a penalty notice or prosecuted.
- **2.4** A child is of Compulsory School Age at the beginning of the term following their 5th birthday. A child ceases to be of compulsory school age on the last Friday in June of the school year in which they reach the age of 16.
- **2.5** Under the Education Act 1996, the Local Authority has a statutory responsibility to ensure that parents secure education for children of compulsory school age and where necessary, use legal enforcement.
- **2.6** The Education (Pupil Registration) (England) Regulations 2013, require schools to take an attendance register twice a day, once at the start of the morning session and then again during the afternoon session. The register must record whether the pupil was:
  - Present
  - Absent
  - Present at approved educational activity
  - Unable to attend due to exceptional circumstances

#### ATTENDANCE CODES, DESCRIPTIONS AND MEANINGS

CODE	DESCRIPTION	MEANING
1	Present (AM)	Present
\	Present (PM)	Present
В	Educated off site (NOT Dual registration)	Approved Education Activity
С	Other Authorised Circumstances (not covered by another appropriate code/description)	Authorised absence
D	Dual registration (i.e. pupil attending other establishment)	Approved Education Activity
Е	Excluded (no alternative provision made)	Authorised absence
G	Family holiday (NOT agreed or days in excess of agreement)	Unauthorised absence

Н	Family holiday (agreed)	Authorised absence
I	Illness (NOT medical or dental etc. appointments)	Authorised absence
J	Interview	Approved Education Activity
L	Late (before registers closed)	Present
M	Medical/Dental appointments	Authorised absence
N	No reason yet provided for absence	Unauthorised absence
0	Unauthorised absence (not covered by any other code/description)	Unauthorised absence
P	Approved sporting activity	Approved Education Activity
R	Religious observance	Authorised absence
S	Study leave	Authorised absence
T	Traveller absence	Authorised absence
U	Late (after registers closed)	Unauthorised absence
V	Educational visit or trip	Approved Education Activity
W	Work experience	Approved Education Activity
X	Non-compulsory school age absence	Not counted in possible attendances
Y	Enforced closure	Not counted in possible attendances
Z	Pupil not yet on roll	Not counted in possible attendances
#	School closed to pupils	Not counted in possible attendances

#### 3. Safeguarding

- **3.1** Every pupil should be able to learn in an enjoyable and safe environment and be protected from harm. We respect and value all children and are committed to providing a caring, friendly and safe environment for all our pupils so they can learn and participate in all school activities in a relaxed and secure atmosphere.
- **3.2** Attending school regularly promotes the welfare and safety of children whilst they are not in the care of their parents/carers. Safeguarding is about offering early help and support to children and families and difficulties with attendance and lateness may be signs that something is worrying the child or that there are difficulties within the family. Poor or irregular attendance, persistent lateness, or children missing from education may be considered a safeguarding matter if this places a child at risk of harm.
- **3.3.** Safeguarding the interests of each child is everyone's responsibility and within the context of this school; safeguarding and promoting the welfare and life opportunities for children encompasses:
  - Attendance
  - Behaviour Management
  - Health and safety
  - Access to the Curriculum and Anti- Bullying
  - Protecting children from abuse and neglect
  - Online safety
  - Radicalisation
  - Extremism
  - FGM and CSE
- **3.4** In order to allow us to safeguard the children in our care it is important that parents and carers provide the school with their current contact details and provide at least three other contact numbers in case of emergency.

#### 4. Categorising absence

- **4.1** Where pupils of compulsory school age are recorded as absent, the register must show whether the absence is authorised or unauthorised. Absence can only be authorised by the Headteacher and cannot be authorised by parents. All absences will be treated as unauthorised unless a satisfactory explanation for the pupil's absence has been received.
- **4.2** Parents should advise the school by telephone on the first day of absence and provide the school with a reason for absence and an expected date of return. Ongoing calls are made as needed/appropriate. First day text messages through school spider and calls are made for any parent that has not provided a reason for absence or where clarity/discussion is needed.

#### 5. Absence will be categorised as follows:

- <u>Illness</u> In most cases a telephone call or an email from the parent informing the school that their child is ill will be acceptable. Parents will be asked to provide medical evidence where there are repeated absences due to reported illness. This will usually be in the form of an appointment card, prescription etc.
- <u>Medical/Dental Appointments</u> Parents are advised where possible to make medical and dental appointments outside of the school day. Where this is not possible, pupils

should attend school for part of the day. Parents should show the appointment card to school.

- Other Authorised Circumstances This relates to occasions where there is cause for absence due to exceptional circumstances, for example family bereavement, visiting a parent in prison or part time timetable agreed as part of a reintegration package.
- Excluded (No alternative provision made) Exclusion from attending school is counted as an authorised absence. The child's class teacher will make arrangements for work to be sent home.
- Religious Observance Crosslee Community Primary School acknowledges the
  multi-faith nature of British society and recognises that on some occasions, religious
  festivals may fall outside school holiday periods or weekends and this necessitates a
  consideration by written request by the parent of authorised absence.

Parents who need to take their child out of school during term time due to exceptional circumstances must send a written request to the Headteacher using the exceptional leave form. Retrospective requests will not be considered and therefore will result in the absence being categorised as unauthorised.

All requests for leave of absence will be responded to in writing outlining the conditions of leave granted or explaining that the absence is not authorised.

If a pupil fails to return and contact with the parents has not been made or received, school may take the pupil of the school's roll in compliance with the Education (pupil registration) (England) Regulations 2013. This means that the child will lose their place.

If the permission to take leave is not granted and the parent takes their child out of school, the absence will be unauthorised. In such cases the school may request the local authority issue a Penalty Notice or consider other legal sanctions including prosecution in the magistrates court.

• <u>Traveller Absence</u> It is expected that Traveller children, in common with all other children, are to attend school as regularly and as frequently as possible.

To protect Traveller parents from unreasonable prosecution for non-attendance, the Education Act 1996, section 444(6), states that a Traveller parent is safe from prosecution if their child accrues 200 attendances (i.e. 200 half days) in the year preceding the absence. This applies only when the family proves it is engaged in a trade or business that requires it to travel and when the child is attending school as regularly as that trade permits.

When in or around Manchester, if a family can reasonably travel back to their base school (see below) then the expectation is that their child will attend full-time.

Crosslee Community Primary School will be regarded as the base school if it is the school where the child normally attends when they are not travelling. However, the pupil must have attended in the last 18 months. Traveller children can register at other schools temporarily while away from their base school, in such cases, the pupil's school place at Crosslee will be

kept open for them whilst travelling. This is to protect them from unfairly losing their place at their school of usual attendance.

Crosslee Community Primary School can only effectively operate as the child's base school if it is engaged in on-going dialogue with Traveller families. This means that parents must:

 advise of their forthcoming travelling patterns before they happen; and inform the school regarding proposed return dates

Crosslee Community Primary School will authorise absence of Traveller children if we are satisfied that a family is travelling for work or trade purposes and has given indication that they intend to return.

Traveller children will be recorded as attending an approved educational activity when:

- The child is on roll and attending another visited school
- Undertaking supervised educational activity under the jurisdiction of another Local Authority's Traveller Education Service
- The child is undertaking computer-based distance learning that is time evidenced

Where Traveller children are registered pupils at a school and are known to be present either at a site (official or otherwise) or in a house and are not attending school, the absence will be investigated in the same way as that for any pupil and appropriate statutory action may be undertaken.

#### 5.8 Late Arrival

School starts at **8:45am** and Registration closes at 9:00am, pupils that arrive after this time will be marked as Late. Registers will close at 9:30am and pupils arriving after the close of the register will be recorded as late (code U), this is not authorised and will count as an absence for that school session (morning) and statutory action may be taken where appropriate.



On arrival after the close of the register, pupils must immediately report to the school office to ensure they are signed into school and we can be responsible for their health and safety whilst they are in school.

The absence will only be authorised if a satisfactory explanation for the late arrival can be provided, for example, attendance at a medical appointment.

The absence will be recorded as unauthorised if the pupil has arrived late without justifiable cause.

If a pupil arrives late to school every day, their learning begins to suffer.

Below is a graph showing how being late to school every-day over a school year adds up to lost learning time.



5 Minutes Late 10 Minutes Late 15 Minutes Late 20 Minutes Late 30 Minutes Late

(Over one academic year)

The registers are monitored daily and identify pupils who are arriving late. Regular late arrival for school will be challenged as not acceptable. Due to possible legal action, after 20 'U' codes the following procedures are put in place to resolve the problem:

- 5 U codes = a letter sent home.
- 10 U codes= meeting/call/home visit to understand reasons and remove barriers.
- 20 U codes= Headteacher will instigate legal proceedings where appropriate using FastTrack process.
- **5.9** <u>Unauthorised absence</u> Absence will not be authorised unless parents have provided a satisfactory explanation and that it has been accepted as such by the attendance officer/ Head teacher.

Examples of unauthorised absence include:

- hair appointments
- going on holiday
- birthday activities
- staying off due to sibling illness
- nobody to bring child to school
- **5.9.1** All requests for leave of absence will be responded to in writing outlining the conditions of leave granted.
- **5.9.2** If a pupil fails to return and contact with the parents has not been made or received, school may take the pupil off the school's roll in compliance with the Education (Pupil Registration) (England) Regulations 2013. This means that the child will lose their school place.
- **5.9.3** If the permission to take leave is not granted and the parent takes their child out of school the absence will be unauthorised. In such cases the school may request the local authority issue a Penalty Notice or consider other legal sanctions including prosecution in the magistrate's court.

#### 6. Deletions from the Register

- **6.1** In accordance with the Education (Pupil Registration) (England) Regulations 2013, pupils will only be deleted from the register when one of the following circumstances applies:
  - The school is replaced by another school on a School Attendance Order
  - The School Attendance Order is revoked by the local authority
  - The pupil has ceased to be of compulsory school age
  - Permanent exclusion has occurred and procedures have completed
  - Death of a pupil
  - Transfer between schools
  - Pupil withdrawn to be educated outside of the school system
  - Failure to return from an extended holiday after both the school and the local authority have tried to locate the pupil
  - 20 days continuous unauthorised absence and both the local authority and school have tried to locate the pupil

#### **Crosslee Community Primary School Attendance Ladder**

Attending school regularly and on time has a positive impact on learning, progress and therefore the best life chances for pupils. Research shows that attendance and punctuality are important factors in school success.

98-100%

• Excellent. Accessing all learning opportunities

96-97%

Good. Very few learning opportunities missed

94-95%

#### Risk of Under achievement

Up to 50 missed lessons

Up to 10 school days absent in an academic year.

93-92%

- Risk of Under achievement
- Up to 75 missed lessons
- Up to 15 school days absent in an academic year.

92-90%

- Severe risk of underachievement
- Up to 100 missed lessons
- Up to 19 school days absent in an academic year

89% or

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- Extreme risk of underachievement
- Over 100 missed lessons
- Pupil is persistantly absent
- upwards of 22 school days absent in an academic year

## Roles and Responsibilities

Roles	Responsibilities
School Governors	Promoting the importance of school attendance across the school's policies and ethos
	Making sure school leaders fulfil expectations and statutory duties
	Regularly reviewing and challenging attendance data
	Monitoring attendance figures for the whole school
	Making sure staff receive adequate training on attendance
	Holding the Headteacher to account for the implementation of this policy
Head Teacher	Implementation of this policy at the school
	<ul> <li>Monitoring school-level absence data and reporting it to governors (weekly attendance meetings)</li> </ul>
	<ul> <li>Supporting staff with monitoring the attendance of individual pupils (weekly attendance meetings)</li> </ul>
	<ul> <li>Monitoring the impact of any implemented attendance strategies</li> </ul>
	<ul> <li>Issuing fixed-penalty notices, where necessary</li> </ul>
Designated senior leader	Offering a clear vision for attendance improvement
leader	Evaluating and monitoring expectations and processes
Mrs Shuttleworth	Having an oversight of data analysis
	<ul> <li>Devising specific strategies to address areas of poor attendance identified through data</li> </ul>
	<ul> <li>Arranging calls and meetings with parents to discuss attendance issues</li> </ul>
	Delivering targeted intervention and support to pupils and families
Attendance Officer	Leading attendance across school- promoting attendance to children and parents
Miss Jones	Monitoring and analysing attendance data
	<ul> <li>Benchmarking attendance data to identify areas of focus for improvement</li> </ul>
	<ul> <li>Providing regular attendance reports to school staff and reporting concerns about attendance to the designated senior leader responsible for attendance and the Headteacher</li> </ul>
	Working with education welfare officers to tackle persistent absence

Designated Safeguarding Lead Miss Crew	<ul> <li>Advising the Headteacher/HSLO (authorised by the Headteacher) when to issue fixed-penalty notices</li> <li>Late arrivals</li> <li>Leading safeguarding across school- promoting attendance to children and parents</li> <li>Monitoring and analysing attendance data of vulnerable children</li> <li>Working with attendance officer to tackle persistent absence</li> <li>Working with other professionals and sharing vulnerable pupils' attendance.</li> </ul>
Class Teachers	<ul> <li>Marking registers- using correct codes.</li> <li>Promoting importance of regular school's attendance</li> <li>Providing early warning of attendance concerns, informing attendance officer</li> <li>Positive role modelling</li> <li>Following policy and procedures consistently.</li> <li>Point of contact for parents to discuss concerns.</li> </ul>
Home School Liaison Officer  Miss Rushton	<ul> <li>Parent contact for support and advice</li> <li>Early help referrals</li> <li>Home visits</li> <li>Working with attendance officer to tackle persistent absence</li> </ul>
School Admin	<ul> <li>Take calls from parents about absence on a day-to-day basis and record it in the school absence book.</li> <li>Transfer calls from parents to the appropriate member of staff, SLT, HSLO, class teachers, attendance officer in order to provide them with more detailed support on attendance</li> <li>First day text message sent for children absent without reason</li> </ul>
Parents and Carers	<ul> <li>Make sure their child attends every day on time 8:45 am</li> <li>Call the school to report their child's absence before 8:45 am on the day of the absence (and each subsequent day of absence), and advise when they are expected to return</li> <li>Provide the school with at least two emergency contact numbers for their child</li> <li>Ensure that, where possible, appointments for their child are made outside of the school day</li> </ul>
<u>Pupils</u>	<ul> <li>Attend school every day on time 8:45 am</li> <li>Have a positive attitude towards school</li> <li>Enjoy school and learning</li> </ul>

#### 7. Using Attendance Data

#### 7.1 The school will:

- Monitor attendance and absence data half-termly, termly, and yearly across the school and at an individual pupil level
- dentify whether there are groups of children whose absences may be a cause for concern in a weekly attendance meeting

Pupil-level absence data will be collected each term and published at national and local authority level through the DfE's school absence national statistics releases. The underlying school-level absence data is published alongside the national statistics. The school will compare attendance data to the national average and share this with the governing board.

#### 7.2 Analysing attendance

#### The school will:

- Analyse attendance and absence data in weekly meetings to identify pupils or cohorts that need additional support with their attendance, and use this analysis to provide targeted support to these pupils and their families
- Look at historic and emerging patterns of attendance and absence, and then develop strategies to address these patterns

#### 7.3 Using data to improve attendance

#### The school will:

- Provide regular attendance reports to class teachers and other school leaders, to facilitate discussions with pupils and families
- Use data to monitor and evaluate the impact of any interventions put in place in order to modify them and inform future strategies

#### 7.4 Reducing persistent and severe absence

Persistent absence is where a pupil misses 10% or more of school. This is pupils with attendance less than 90%.

Severe absence is where a pupil misses 50% or more of school. This is pupils with attendance less than 50%.

#### The school will:

- Use attendance data to find patterns and trends of persistent and severe absence
- Hold regular meetings with the parents of pupils who the school (and/or local authority) considers to be vulnerable, or are persistently or severely absent, to discuss attendance and engagement at school
- Provide access to wider support services to remove the barriers to attendance

- Provide a range of letters and communications to support and warn parents of poor attendance and consequences.
- Provide closer monitoring of these pupils and focused rewards strategies.

#### 8. Support Systems

- **8.1** School recognise that poor attendance is often an indication of difficulties and/or trauma in a child's life. This may be related to problems at home and/or in school. Parents should make school aware of any difficulties or changes in circumstances that may affect their child's attendance and/or behaviour in school, for example, bereavement, divorce/separation, incidents of domestic abuse. This will help the school identify any additional support that may be required. It is expected that the child and their family work collaboratively with school to identify the anxiety-based school avoidance resources most appropriate for support and to accept the support that is offered or advised.
- **8.2** Crosslee Community Primary School also recognise that some pupils are more likely to require additional support to attain good attendance, for example, those pupils with special educational needs, those with physical or mental health needs, migrant and refugee pupils and looked after children.
- **8.3** The school will implement a range of strategies to support improved attendance for all pupils. Strategies used will include:
  - Escalation of attendance approach / graduated approach
  - Parenting contracts
  - Referrals to support agencies such as early help or Thrive Hubs
  - Pupil Voice Activities
  - Anxiety-based attendance avoidance materials
  - Trauma-informed approaches
  - Time limited part time time-tables
  - Inclusion resources
  - Reintegration support packages
  - Rewards and incentives- Weekly assemblies and rewards
  - Attendance meetings

#### **Attendance Distributed Leadership Model**

#### **GREEN**

#### Pupils with attendance between 97% to 100%

You may wish to consider any of the following:

- ☐ Pupils will be rewarded within the school's award systems in recognition of good/excellent attendance. Weekly assemblies with winners from each year group to receive prize/teddy to take home. Also weekly class winner with the highest attendance
- ☐ Pupils with this level of termly and annual attendance will receive a certificate of achievement and their names will be displayed on the school attendance notice/display board. Also children will be invited to an attendance treat at the end of each term.
- ☐ The Attendance Officer will be responsible for all action at this level and will record all intervention and outcomes. Records will be copied to a member of the Senior Leadership Team/the Headteacher every three weeks.

A member of the Senior Leadership Team, the Attendance Officer **and the Headteacher** will monitor the effectiveness of interventions. This will be used to review and inform whole school self-evaluation and impact of interventions.

# YELLOW Pupils with attendance between 94% and 96%

#### Class teacher will speak to the pupil to:

- Confirm with the pupil the reason for absence and offer any support that may be required.
- Update the pupil on other work they have missed and support any catch up required.
- ☐ Attendance Officer will set an individual attendance target for the pupil to support improving their attendance
- □ Agree a review date
- In addition, where unauthorised absence has occurred or attendance has not improved following the review with the pupil, a letter will be sent to parents advising of concern and outlining the parents' responsibilities

Where improvement has not occurred following this intervention, parents will be invited to a meeting where the possible outcomes will be:

- All parties are confident that issues have been resolved and the attendance will improve.
- Does the family need support through an Early Help Assessment?
- Is a referral needed or additional mentoring to support the pupil?

## **AMBER**

## Pupils with attendance between 91% and 93%

Phase Leaders/ Attendance Officer with a member of pastoral staff will speak to the pupil to:

0	Identify underlying in school barriers that may be causing the pupil's absence
0	Identify underlying any out of school barriers that may be causing the pupil's absence and consider appropriate support such as early help, Manchester Thrive Hubs etc.
	Review the pupil's academic progress and make links to the pupil's attendance
0	Make arrangements for the pupil to catch up on work they have missed
	Implement a Support Plan or review other existing pupil plans to include support and improve attendance if required. If other agencies are involved, is a multi-agency meeting or review required to address concerns?
0	Set an individual attendance target for the pupil before the next review dates and agree a review date
e rev	tion, where unauthorised absence has occurred or attendance has not improved following riew with the pupil, a letter will be sent to parent/carer advising of concern and possible future ry action.
	ovement has not occurred following this intervention, parents will be invited to a meeting the possible outcomes will be:
	All parties are confident that issues have been resolved and the attendance will improve.
	Parenting contract agreed
	Penalty Notice 15 school day monitoring period commences
	Agree a review date
	Where parents fail to attend the meeting without a satisfactory reason and unauthorised absence has occurred, the penalty notice monitoring period will automatically commence.
	these interventions have already been implemented and have had unsatisfactory impact, the will be invited to an Attendance Panel where the possible outcomes will be:
	Offer support through an Early Help Assessment (EHA) with the school acting as lead professional
	Where a parent fails to attend the meeting without providing a satisfactory reason, a minimum of two home visits with the purpose to engage with the parent will be carried out prior to referral to the Local Authority

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#### Red

#### Pupils with attendance below 90%

Pupils who have attendance below 90% are persistently absent and pupils below 50% are considered severely absent from school.

To ensure that intervention is focused and meets the needs of individuals, pupils may be grouped into any of the following categories to ensure they receive personalised support to meet need and address reasons for absence.

Looked After Children and Children on the Child Protection Register

Special Educational Needs

Parental support/needs e.g. parental drug use, young carers, domestic violence

School issues e.g. bullying, poor teacher/pupil relationship, curriculum issues

English as an Additional Language

Ethnic minority

Mid-Year Admissions

Other

#### Each cohort will have an identified member of staff who will:

- Ensure that the pupil has already spoken to a member of staff at the stages proceeding RED intervention (RED - AMBER intervention will occur in cases where the pupil has immediately fallen from GREEN into RED) Obtain records of previous contact and interventions as set out in RED - AMBER and escalate accordingly Ensure that weekly contact occurs with the pupil either individually or within a small group to address themed issues. Ensure weekly contact with the parents to discuss any arising issues and to provide feedback on their child's attendance, behaviour and academic progress. Review existing plans and co-ordinate school resources to support the pupil's attendance and any additional needs Be the key contact person for any external agency working with the pupil
- Input into whole school strategies to address the needs of pupils within their group
- Each identified member of staff will be responsible for all action at this level and will record all intervention and outcomes. Records will be copied to a member of the Senior Leadership Team and headteacher/principal every fortnight/three weeks.
- Multi-agency meeting to address concerns
- Where appropriate statutory action

The headteacher will report to the Chair of Governors/Governor for Attendance each half term and will report termly to the Governing Body on the percentage PA and SA.

Where parents fail or refuse to engage with the support offered and further unauthorised absence occurs, Crosslee Community Primary School will consider the use of legal sanctions.

#### 9. Legal Interventions

- **9.1** Prosecution where intervention fails to bring about an improvement in attendance, the Local Authority will be notified and legal action in the Magistrates' Court may be taken. The school will provide the Local Authority with evidence required for a prosecution under Section 444 of the Education Act 1996 and will appear as a prosecution witness if required by the court. This is to ensure that parents realise their own responsibilities in ensuring attendance at school and most importantly about returning children to education.
- **9.1.1** Section 444 of the Education Act 1996 states that if a parent fails to ensure the regular school attendance of their child if he/she is a registered pupil at a school and is of compulsory school age, then they are guilty of an offence.
- **9.1.2** A parent found guilty of this offence can be fined up to £2500 and or be imprisoned for a period of up to three months.
- **9.1.3** Alternatives to Section 444 prosecution are Parenting Contracts, Penalty Notices or an Education Supervision Order.
- **9.2** Parenting Contracts (Anti-Social Behaviour Act 2003) A Parenting contract is a voluntary agreement between school and the parent, it can also be extended to include the child and any other agencies offering support to resolve any difficulties leading to improved attendance.
- **9.2.1** The contract will outline attendance targets and will detail agreed actions that will help to achieve the target. The contract will be reviewed regularly.
- **9.2.2** The contract can be used as evidence in a prosecution should parents fail to carry out agreed actions.
- **9.2.3** Parenting Contracts will be used in accordance with Manchester City Council's Parenting Contract Protocol.
- **9.3** Penalty Notices (Anti-Social Behaviour Act 2003) Penalty Notices will be considered when:
  - A pupil is absent from school and the absence has not been authorised by the school
  - A pupil has accrued unauthorised absence without reasons provided and/or accepted as exceptional by the Headteacher.
- **9.3.1** A Penalty Notice gives the parent the opportunity to discharge themselves of their legal responsibility if a £120 fine is paid within 28 days, reduced to £60 if paid within 21 days of the date the Notice was issued.
- **9.3.2** Failure to pay the Penalty Notice may result in a prosecution under Section 444 of the Education Act 1996.
- **9.3.3** Penalty Notices will be used in accordance with Manchester City Council's Penalty Notice Protocol.