



the **ST LAWRENCE** academy

# SCHOOL ATTENDANCE



## Every day of school attendance helps your child enjoy and achieve. Good attendance provides better chances and more choices.

### The Law

All children who are between 5 and 16 years old are entitled to an appropriate, full time education.

- Most parents want their children to be happy and achieve.
- It is more important than ever for children to have a good education, to have choices and opportunities in adult life
- Children only get one chance at school, and your child's chances of a successful future may be affected if they are not attending school regularly.
- Research shows that some young people who regularly miss school can be drawn in to anti-social behaviour or crime.

*Parents/carers are responsible for making sure that their children regularly attend the school at which they are registered. The Local Authority is responsible for making sure that parents/carers fulfil their responsibilities. The academy wants all children to have excellent attendance and they want children to want to be learning and achieving their best.*

### Authorised and Unauthorised Absences

- There may be times when your child has to miss school because they are ill in which case you should contact the academy on the first day of absence.
- Children may have to attend medical or dental appointments in school time, but routine appointments should be made out of school hours.
- Persistent absence may not be authorised as a medical reason without confirmation from a medical practitioner.
- If you think you might need to take your child out of the academy for any reason, discuss this with the appropriate member of staff as soon as possible.
- Reasons such as a family bereavement or a religious event would be acceptable for short absences.
- Holidays should not be taken during term time.
- Only in exceptional circumstances should requests be made to take children out of the academy during term time and must be authorised by the Principal.
- Unacceptable reasons for missing school includes shopping, haircuts and birthdays and holidays.

### What if my child does not attend school regularly?

- We are responsible for reporting irregular school attendance to the Local Authority.
- Every school has a named Local Authority officer who is there to help with concerns about school attendance or punctuality.
- You will be given advice to address your child's school attendance issues and help you to meet your legal responsibilities as a parent.
- Responsibility for ensuring the regular school attendance of a child remains with parents/carers.
- Where support has been provided to a family, and school attendance does not improve, a **Penalty Notice** will be issued if appropriate.

**Holidays in term time are not acceptable as they significantly affect your child's progress. We want them to do their best and have excellent attendance**

- The Principal at your child's school has a discretionary power to authorise absence during term time. This has to be in exceptional circumstances - **this is not an entitlement**.
- If holidays are taken that have not been authorised, a **Penalty Notice will be issued** if there are 10, or more, unauthorised sessions (half days).

*As a parent/ carer, you are committing an offence if you fail to secure the regular attendance of your child at the school where they are registered.*

### **What is a Penalty Notice?**

- The Anti Social Behaviour Act 2003 introduced legislation that made provision for the Local Authority to issue Penalty Notices to address unauthorised absences and prevent a pattern of irregular school attendance from developing.
- A Penalty Notice requires a fixed fine to be paid by parents/carers of pupils who have unauthorised absence from school.
- If a Penalty Notice is issued you have 28 days from the date of issue to pay £50. After 28 days it will increase to £100. Failure to pay within 42 days will result in prosecution in the North Lincolnshire Magistrates' Court under Section 444 (1/1A) of the Education Act 1996 for failing to secure your child's regular attendance at school
- Penalty Notices are issued to **all parents/carers individually**, this includes partners and any person identified as having responsibility for ensuring the child attends school regularly, which can include grandparents and older siblings

### **What can I do to help?**

- Take an interest in your child's education and encourage regular school attendance.
- Contact your child's school on the first day of absence.
- Try to avoid unnecessary absences.
- Wherever possible make medical and dental appointments outside of school hours.
- Do not organise family holidays during term time.

*If you suspect your child may be missing school or is unhappy at the academy, you should contact them or the Local Authority so that advice and guidance can be provided.*

### **Education Prosecution Service**

Education Development Centre  
South Leys Campus  
Enderby Road  
Scunthorpe  
North Lincolnshire  
DN17 2JL

Tel: 01724 297942

# PENALTY NOTICES

Section 23 of the Anti Social Behaviour Act 2003

## Advice for parents and carers regarding irregular school attendance

- ***What is the Anti -Social Behaviour Act 2003?***

Section 23 of the Act gives powers to the Local Authority and other designated bodies to issue a Penalty Notice where a parent/carer is failing to secure their child's regular school attendance.

- ***Why has it been introduced?***

Reducing school absence is a key priority nationally and locally, because irregular attendance and absence from school damages a pupil's attainment levels, disrupts school routines and the learning of others. It can also leave a pupil vulnerable to anti-social behaviour and youth crime.

**Missing school has a detrimental effect on life chances and opportunities.**

- ***What is a Penalty Notice?***

Under existing legislation, parents/carers commit an offence if their child fails to regularly attend the school at which they are registered, and the absences are classed as unauthorised (absences that the school cannot or has not given permission). Parents/carers are prosecuted under Section 444(1/1A) of the Education Act 1996.

A Penalty Notice is an alternative to prosecution, and does not require an appearance in Court. Payment of an issued Penalty Notice enables parents to discharge their liability for the unauthorised absences identified on the Notice.

- ***What are the costs?***

Payment within 28 days of receipt of a Notice is £50 and £100 if paid after 28 days but within 42 days. Non payment of a Penalty Notice will result in the prosecution of the parent/carer in the North Lincolnshire Magistrates' Court.

- ***How are they issued?***

Hand delivered or posted to your home.

- ***When are they used?***

Penalty Notices can be used in a range of situations where unauthorised absences occur:

1. Irregular school attendance,
2. Overt truancy (including pupils found during truancy sweeps),
3. Parentally condoned absence,
4. Holidays in term time ,
5. Persistent late arrival at school (after the register has closed),
6. Delayed return to school following a fixed term exclusion.

A pupil will have had a minimum of 10 school sessions (half days) recorded as unauthorised absence before a Penalty Notice is considered. The Local Authority takes this action seriously and would far rather work with parents/carers to improve attendance without having to resort to any enforcement actions. **Regular school attendance is extremely important and the Local Authority will use legal intervention if it is the only way of securing a child's education.**

- ***Is a Warning Given?***

Yes, you will receive a written warning of the possibility of a Penalty Notice being issued, which will tell you the extent of your child's absences, and give you a specified 15 day period in which your child must have no unauthorised absences from school. You will not receive a warning when a pupil has been taken on holiday during term time and the absence has not been authorised by the school. There is no limit to the number of times formal warnings can be made.

- ***Is there an appeal process?***

There is no statutory right of appeal once a Penalty Notice had been issued, but on receipt of a warning you can make representation should you wish.

- ***How do I pay?***

Details of payment arrangements will be included on the Penalty Notice.

- ***What happens if I do not pay?***

You have up to 42 days from service to pay the Penalty Notice in full, after which the Local Authority is required under the Act to commence proceedings in the North Lincolnshire Magistrates Court for the original offence of irregular school attendance by your child.

If you are found guilty there are different sentencing options available including, Conditional Discharge, Fine, Parenting Order, Community Punishment and Rehabilitation Order or a Custodial Sentence.

- ***Can I be prosecuted if I pay the Penalty Notice but my child is still missing school?***

Not for the period included in the Penalty Notice because payment discharges your liability.

However parents and carers can be prosecuted for further periods of poor attendance not covered by the Penalty Notice. It is essential that parents/carers work closely with school staff and support services, to resolve any issues that are preventing the regular school attendance of a child of compulsory education age.

- ***Can I get help if my child is not attending school regularly?***

Yes, your child's school and the Local Authority will give you advice and support to secure an improvement in your child's school attendance.

It is very important that parents/carers speak with school staff or support officers if there are concerns about securing a child's regular school attendance.

All schools have an allocated officer from the Local Authority.

For further information please contact the Education Prosecution Service.

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# HOLIDAYS IN TERM TIME

may be cheaper but your child's education is priceless

52 weeks in a calendar year

39 weeks in a school year

Please consider the following facts if you are thinking of taking a holiday during term time:

- ◆ While you are away for one week your child will miss approximately 20 hours of their education.
- ◆ If your child has two weeks holiday during term time and one week of illness during the school year they will miss 7.7% of their education in that year. If this pattern is repeated throughout their school life they would miss **33** weeks of their education.
- ◆ Research shows that children taken out of school may never catch up on work they have missed. It may affect their exam results and the progress they make at school.
- ◆ Every school day counts if your child is to maximise their potential.

## Your Request:

If you decide to still make a request, it must be under exceptional circumstances, and for the purpose of one annual family holiday, you should:

- Collect a holiday form from your child's school, which must be completed, identifying what the exceptional circumstances are, and returned to the school at least two weeks' prior to the period of absence for which permission is being requested.
- Be a parent/carer with whom the child normally resides
- Agree not to make multiple or conflicting requests from separated parents or other relatives such as grandparents. **This will not be an acceptable reason to ask for additional holidays in term time**

## The Decision:

The Head Teacher at your child's school has a discretionary power to grant **up to 10 days'** authorised absence in any one academic year for the purpose of an annual family holiday during term time in exceptional circumstances - **this is not an entitlement.**

- **The Head Teacher will consider:**
- **The exceptional circumstances identified by you**
- **Your child's age**
- **Time and length of leave requested**
- **Your child's attendance record**
- **Key dates such as exams/tests**

**The Head Teacher will inform you of their decision, which should be in writing.**

**Penalty Notices** are issued to **all parents/carers individually** for **each child** taken out of school for an unauthorised holiday, this includes partners and any person deemed to have a responsibility to ensure the child regularly attends school, which can include grandparents and older siblings.

**Example:**

$$\begin{array}{r} 2 \text{ parents / carers / responsible adults} \\ + \\ 2 \text{ children with unauthorised holidays} \\ = \\ \mathbf{4 \text{ Penalty Notices}} \end{array}$$

If your child stays away from school for longer than has been authorised this will be recorded as unauthorised absence. In these circumstances the school is required to inform the Local Authority and a **Penalty Notice** will be issued.

**What is a Penalty Notice?**

The Anti Social Behaviour Act 2003 introduced legislation that made provision for the Local Authority to issue Penalty Notices. These Notices require a fine to be paid by parents/carers of pupils who have unauthorised absence from school.

If a Penalty Notice is issued you have 28 days from the date of issue to pay £50. After 28 days it will increase to £100. Failure to pay within 42 days will result in prosecution in the Magistrates' Court under Section 444 (1/1A) of the Education Act 1996 for failing to secure your child's regular school attendance.

**Every school day helps your child enjoy and achieve.**

**When you are planning your holidays try to take them when school is closed.**

**Where can I get further advice on this matter?**

Always contact your child's school first, as they are the only authority with the discretionary power to grant the exceptional leave of absence for a family holiday. You can also seek advice from:

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