



**MELLERS PRIMARY SCHOOL  
ATTENDANCE AND PUNCTUALITY POLICY  
May 2021**

## **Introduction**

The governors and staff recognise that good attendance and punctuality are two key issues which have a huge impact on children's achievements and progress in school. Irregular school attendance is a contributory factor in social exclusion and under-achievement. Pupils who fail to attend school regularly are more likely to be the victim of crime themselves or to become exposed to offending behaviours by others. Good attendance will be expected at all times from Foundation entry onwards. The school is always looking for ways to improve levels of attendance and reduce incidents of lateness.

## **Overall Aims**

- To ensure that every child is safeguarded and their right to education is protected.
- To ensure the school attendance target is achieved, through rewards and incentives for good attendance and punctuality.
- To raise standards and ensure every child reaches their full educational potential, through a high level of school attendance and punctuality.
- To ensure all the stakeholders, governors, parents, pupils and staff receive regular communication, about the importance of good attendance and punctuality.
- To keep accurate, up-to-date records and have a robust and rigorous system for analysing attendance.
- To identify causes of low attendance/punctuality with individuals, classes and groups of pupils and address them.
- To work with external agencies, in order to address barriers to attendance and overcome them.

## **Principles**

All members of staff are responsible for:

- Ensuring the attendance register is completed accurately and at the correct time.
- Following all procedures for attendance and registration.
- Providing a welcoming, secure, and inclusive atmosphere which encourages attendance and promotes the best performance from children.
- Regularly reminding children and parents about the importance of good attendance.
- Establishing good and effective communication links with parents/carers and work collaboratively in meeting the child's needs.
- Working with pupils and their families where attendance is a concern, identifying barriers to good attendance and working to overcome these.
- Discussing with parents about pupil attendance and punctuality regularly, during structured conversations and in CAF meetings

The deputy head teacher is responsible for:

- Overseeing the analysis of data and respond to findings.
- Meeting with office staff and the parent support worker to monitor the systems and structures, ensuring they are having an impact on pupil attendance and punctuality.
- Liaising with external agencies such as the Education Welfare Service and make referrals where necessary.
- Ensuring that rewards and incentives for attendance and punctuality are being used.
- Working with teachers, to plan for the reintegration of pupils after long-term absence.

- Revising and amending the policy, as required.

Parents are responsible for:

- Ensuring the child attends school and is punctual each day.
- Promoting a good attitude to learning by ensuring their children attend school in the correct uniform and with the basic equipment required for lessons.
- Keeping the school informed about the reason for any absence on first day onwards.
- Bringing to school any documents that support evidencing the absence, such as appointment cards, prescriptions, etc.
- Arranging medical and dental appointments out of school time.
- Working in partnership with the school and other agencies in the best interests of their child; this includes informing the school about significant influences and changes in the child's life, which may impact on learning.
- Providing school with a current phone number, address and two alternative contact names and numbers
- Responding to school phone calls and text messages

Children are responsible for:

- Taking an increasing role in responsibility for attendance.
- Taking an increasing role in responsibility to get to school on time.

### **Celebrating good attendance and punctuality**

The school recognises that one powerful way of increasing attendance and punctuality is to ensure that it has a high profile in the school. We aim to achieve high levels of attendance and punctuality (above 97%) through rewarding good attendance and punctuality.

Activities include:

- Use of the Marvellous Me app to reward and celebrate individual improving attendance and punctuality
- One off fixed period incentives, including half termly class rewards and most improved class attendance / punctuality
- 100% certificates
- Class incentives and rewards
- End of year 100% award and prize.
- Attendance raffle, with a large prize, such as a bike
- Weekly updates on the school newsletter

### **Attendance and Punctuality in the Foundation Stage**

Regular attendance is encouraged from the outset and will create good habits for the future. This early message, communicated to parents from the initial meeting, will set the expectations of the statutory requirements once the child is registered on roll at school, the term following their fifth birthday. The information regarding non-statutory attendance and punctuality is analysed in the same way as the rest of the school and every attempt will be made to address any concerns, initially in discussion with the parent/carer or by a home visit. Such intervention will be noted at school and confirmed in writing to the parent/carer.

If the child's attendance fails to improve and no satisfactory reasons have been given for the absences, an appointment will be made inviting parents to meet with the Head teacher or deputy head teacher. **The responsibility for the children attending the provision is solely that of the parent/carer and the place could be at risk if a child does not access it regularly.**

### **Punctuality**

The school doors are opened from 8.30 am. The registration period is from 8.30 am until 8.50 am, when the registers will be closed. Registers will be sent through to the office at 8.50 am and any child arriving after this time must enter through the main entrance, where they will be marked as late (**L code**) and self-register using the electronic system. After 9.00 am, any child arriving late will be marked as unauthorised absence, (**U code**) due to the amount of learning time already missed. Families that choose to attend out of the catchment area are expected to attend punctually and are not exempt from the agreed sanctions. **10 unauthorised codes (U) in ten weeks is considered as persistent lateness** and could result in further actions, including penalty notices.

Parents / carers will be notified by text if the number of unauthorised absences, due to lateness, is nearing the trigger for a penalty notice. This is due to the time scales that could be involved, allowing for immediate response and improvement. A letter will be sent home if the child is late five times in two weeks, offering support to improve as necessary.

### **Absence**

Absences at school are of two types - authorised or unauthorised. All absences are unauthorised until a satisfactory reason for the absence is given, however **it is the Head Teacher's responsibility and final decision to authorise any absence.** The only satisfactory reasons for absence are:

- Observance of a religious festival: pupils are allowed to take 2 days in total for Eid (1 day for Big Eid and 1 day for Little Eid) as authorised absence during the year. Any further absences over the Eid period would be recorded as unauthorised.
- Illness. Children should only be kept at home if they have a serious illness or injury. If this is the case, parents should contact the school first thing. **If a child has a minor illness e.g. mild headache, stomach aches etc. parents should inform the school and bring them in. If they don't get any better, school will contact parents straight away, to collect them.** Regular illness may need to be substantiated by medical evidence, such as appointments, prescriptions.
- Absences due to Covid 19, such as isolation for bubble closure, waiting test results etc. are authorised and dates of return carefully monitored.
- If the child is prescribed a course of antibiotics, they should return to school after one or two days, timing medication around the school day or giving permission for a school adult to medicate.
- Children with identified medical conditions, who are regularly absent as a result, are asked to sign the medical contract. Whilst the absence is still legally recorded in the register, it is removed from in school monitoring, so the child can be rewarded for other good attendance and to prevent any inappropriate sanctions.
- Illness around a school holiday will not be authorised without medical evidence, such as an appointment card or prescription
- Attendance at a medical appointment must be authorised at the school office, whereby proof of the appointment must be shown e.g. doctor's medical card or letter, hospital appointment card or letter. Children should attend school before and after any

appointment, reducing the time away from school. Wherever possible, these appointments should be made out of school time.

All other absences are unauthorised.

Mellers Primary School's aim is at least **97% attendance and above** for all pupils in the school. All children's attendance is monitored but when the **percentage attendance is below 90%, the child is considered a persistent absentee** and further investigation takes place. This can trigger further sanctions and is in line with Department for Education and Local Authority guidance.

When a child is absent from school, it is the parent's responsibility to let school know, either by phone call or text. If no message is received, the school will contact the family using all the phone numbers available. Home visits by two staff members may be completed if no contact has been made and the whereabouts and well-being of the child is unknown.

### **Penalty Notices**

If a child has unauthorised absence recorded, it may lead to the issuing of a penalty notice and/or further legal action being taken by the Local Authority

#### **Section 23(1) Anti-Social Behaviour Act 2007:**

Penalty notices may be issued per parent, per child, who has unauthorised absence from school. The amount of the penalty is £60.

- If this is not paid within 21 days the amount rises to £120.
- If not paid within 28 days the Local Authority will prosecute under section 444(1) unless it comes to our attention that the penalty notice had been issued in error.

#### **Section 444(1) Education Act 1996:**

"If you are the parent of a child of compulsory school age who fails to attend school regularly, you are guilty of an offence."

The court can fine each parent up to £1,000 per child, order payment of the prosecution costs and/or make a Parenting Order.

Please note that:

- Penalties and prosecutions are in respect of each parent for each child.
- Parent includes any person who is not a parent of the child but who has parental responsibility for the child (and applies whether or not that person lives with the child) or who has care of him/her.

**These prosecutions are criminal proceedings and could result in you having a criminal record.**

### **Leave of Absence**

Head teachers **only grant five days leave** in term time, in one academic year, where **the circumstances are exceptional**, for example:

- death of parent/carer or sibling of the pupil
- life threatening or critical illness of parent or sibling of the pupil
- parent/carer recuperation and convalescence from critical illness or surgery (leave request to be made within 6 months of recovery and medical evidence required)

Family emergencies need careful consideration. It is not always in the best interest of the child, nor appropriate for them to miss school for family emergencies that are being dealt with by adult family members. Being at school, friendships and support from staff can provide children with stability and care during difficult times. The routine of school can provide a safe and familiar background during times of uncertainty.

Any family experiencing such exceptional circumstances should make any request for leave by completing a leave of absence form, available from school. The reasons for the leave are considered. Evidence of leave will be requested, such as tickets, booking forms, family documents and the child / children must return to school on the agreed date. Decisions and consequences regarding the request are made clear and put into writing. **Absence due to leave in term time is at the discretion of the Head Teacher.** Parents/carers are at risk of penalty notices and of losing the school place if they do not return to school on the agreed date. We are also referring to government guidelines on travel and quarantine rules / restrictions.

<https://www.gov.uk/guidance/red-amber-and-green-list-rules-for-entering-england>  
<https://www.gov.uk/uk-border-control/self-isolating-when-you-arrive>

If leave is not agreed by the Head teacher, the absence is recorded as unauthorised absence and a Penalty Notice will be requested to be issued to the parent by the Local Authority. The child may be taken off the school roll and their school place lost. This will also apply if a child is absent due to leave that has not been requested or agreed. The following timeline is calculated as if the requested leave has been approved i.e. five days absence due to leave, ten days further absence triggers investigation and a letter, ten days further absence means that the child may be removed from roll.

All request forms, meetings and correspondence are explicit about this policy. It is also available to parents in school brochures, newsletters and on the website at [www.mellersprimary.co.uk](http://www.mellersprimary.co.uk).

### **Children Missing in Education**

When a child is absent from school, it is possible that this is due to other behaviours or activities that places them at risk. At Mellers, we refer any child that we think should or may be removed from roll due to none attendance, whether the onward school is known or not. The referral is made to the Children Missing in Education department of the Education Welfare Service. After twenty days of absence and efforts by school and the Education Welfare Service to find the child, the Head teacher will decide about removal from the school roll. A "lost pupil" file is created on the national Lost Pupil's Database School to School, (S2S), to assist in locating them in the future.

### **Registers in exceptional circumstances**

Registers are kept in line with statutory guidance from the Department of Education and the Local Authority. This includes the use of register codes in SIMS. In exceptional circumstances, such as COVID 19 pandemic and lockdown, this continues to apply but it may impact on how codes are applied. It could also adjust how absences are monitored and recorded. Additional information and evidence may be required from parents to support this, such as travel information, bookings, etc. This will also support the monitoring of quarantine procedures, etc.

### **Appendix of Letters**

- a. Leave request form
- b. Leave reply, approved
- c. Leave reply, refused

- d. Penalty notice information to parents / request to Education Welfare Service
- e. Foundation Stage, attendance fallen below 90% (available to mail merge in SIMS)
- f. Medical contract
- g. Late, support letter (available to mail merge in SIMS)
- h. Falling attendance letter 90% - 93% (available to mail merge in SIMS)
- i. Persistent absentee letter, less than 90% (available to mail merge in SIMS)
- j. Home visit letter
- k. Removal from register letter
- l. Nottingham City Council Code of Conduct in relation to penalty notices

## Mellers Primary School



### LEAVE REQUEST FORM

**To be completed by the parent/carer and returned to the school office no less than 2 weeks before the intended leave**

I apply for my child to be granted approval for leave in term time during the academic year: \_\_\_\_\_

Full name of pupil \_\_\_\_\_ Class \_\_\_\_\_

Dates of intended leave: from \_\_\_\_\_ to \_\_\_\_\_

My child will return to school on \_\_\_\_\_

Reason for leave in term time \_\_\_\_\_

Destination / address \_\_\_\_\_

Evidence of travel / reason for leave \_\_\_\_\_

Signed \_\_\_\_\_ parent/carer Date \_\_\_\_\_

**Please note carefully:**

- Only 5 days (one week) may be taken for leave during school time in a school year. We will only authorise if the circumstances are exceptional. Any other requests for more than 5 days for leave will be refused.
- Government guidance currently advises against all but essential travel to many countries on the basis of COVID risks. Isolation and quarantine rules must be followed, which will add to potential absence.
- Approval is not granted to pupils in the weeks of their SATs tests or the six weeks before this.
- If a pupil is taken out of school for leave without the school's prior approval the parent/carer may be liable for a penalty notice, the pupil may be taken off the school roll and their school place may be lost
- If the absence is longer than 5 days, or the child does not return to school on the date specified by the school the pupil will be taken off the school roll and their school place may be lost

**Office use only:**

	Yes	No
Form fully completed		
Verbal reminder of key notes		
Copy of policy given to parent/ carer		
Evidence requested		
Evidence received and copied		
Leave approved		
Confirmation letter sent with copy of form		

Headteacher's signature \_\_\_\_\_ Date \_\_\_\_\_



Appendix b

**Mellers Primary School**

**Head Teacher: Amanda Dawson**

Norton Street, Radford, Nottingham NG7 3HJ

Telephone: School: (0115) 915 1796

Fax: (0115) 915 1795

E-mail [headteacher@mellers.nottingham.sch.uk](mailto:headteacher@mellers.nottingham.sch.uk)

Website: [www.mellersprimary.co.uk](http://www.mellersprimary.co.uk)



*date*

Dear *insert name of parents / carers*

Re: application for leave for *inset name of child*

Thank you for your application for leave, which has been approved. The dates you asked for are as follows:

Your child must return to school on:

On this occasion, your request for leave has been approved as the circumstances for the leave are considered to be very exceptional. Please note however, that if your child does not return on the agreed date, any absence after this time will be recorded as unauthorised and a penalty notice may be requested from the Local Authority. Please note these are issued per parent /per child. Your child may be removed from the school roll and will have to reapply for a school place. It is very important that your child attends regularly on return so that they do not fall further behind with their work.

Thank you for your continued efforts to maintain good attendance for your child.

Yours sincerely

Amanda Dawson

Headteacher

Appendix c

**Mellers Primary School**

**Head Teacher: Amanda Dawson**  
Norton Street, Radford, Nottingham NG7 3HJ  
Telephone: School: (0115) 915 1796  
Fax: (0115) 915 1795  
E-mail [headteacher@mellers.nottingham.sch.uk](mailto:headteacher@mellers.nottingham.sch.uk)  
Website: [www.mellersprimary.co.uk](http://www.mellersprimary.co.uk)



*date*

Dear *insert name of parents / carers*

Re: application for leave for *insert name of child*

Thank you for your application for leave. The dates you asked for are as follows:

Unfortunately, on this occasion your request has been refused as *insert reason*

Parents/carers have a legal duty to ensure the regular and full-time attendance at school of registered pupils (Education Act 1996).

If you decide to take your child out regardless of this decision the absence will be unauthorised. If a child has unauthorised absence recorded, it may lead to the issuing of a penalty notice and legal action being taken. The Local Authority and Mellers Primary School policy is very clear that a penalty notice will be issued per parent, per child due to unauthorised leave.

Yours sincerely

Amanda Dawson  
Headteacher

## Mellers Primary School

Head Teacher: Amanda Dawson

Norton Street, Radford, Nottingham NG7 3HJ

Telephone: School: (0115) 915 1796

Fax: (0115) 915 1795

E-mail [headteacher@mellers.nottingham.sch.uk](mailto:headteacher@mellers.nottingham.sch.uk)

Website: [www.mellersprimary.co.uk](http://www.mellersprimary.co.uk)



*Insert date*

Dear Mr *insert name* and Mrs *insert name*,

I am writing to you regarding your child, *insert name* attendance. From *insert date* was absent from school due to an unagreed leave. You had completed a request for leave form but this was declined.

*Or* You did not fill in a request for leave form.

You were aware of the school policy that I will only grant five days leave in exceptional circumstances. You were also advised that should the holiday be taken, a referral to the Educational Welfare Service could be made and further action, including possible penalty notices, could be taken.

As a result of the absences and the leave that was unagreed taken in term time, the referral to Education Welfare will be made. If you have any questions or concerns about this, please do not hesitate to ask.

Yours sincerely,

Amanda Dawson  
Headteacher

## Mellers Primary School

Head Teacher: Amanda Dawson

Norton Street, Radford, Nottingham NG7 3HJ

Telephone: School: (0115) 915 1796

Fax: (0115) 915 1795

E-mail [headteacher@mellers.nottingham.sch.uk](mailto:headteacher@mellers.nottingham.sch.uk)

Website: [www.mellersprimary.co.uk](http://www.mellersprimary.co.uk)



*Insert date*

Dear Mr *insert name* and Mrs *insert name*,

After a recent review of the registers at Mellers Primary School, concerns were raised over (*insert child's name*) school attendance. *Insert child's name* has attended less than 97%.

Although *insert child's name* is not yet legally of statutory school age, regular attendance at school is a practice Mellers Primary and the Education Welfare Service actively encourage. Adopting good attendance and punctuality routines early in a child's school life will prepare them for when they are statutory school age.

Once your child starts reception, F2, you are legally responsible for ensuring they attend school regularly and on time. Failure to ensure this could result in taken, a referral to the Educational Welfare Service could be made and further action, including possible penalty notices, could be taken.

Please do not hesitate to contact the school should you wish to discuss this letter or any issue that may be affecting your child's attendance. A copy of the school attendance policy is available on the website [www.mellersprimary.co.uk](http://www.mellersprimary.co.uk)

Yours sincerely,

Amanda Dawson  
Headteacher

## Mellers Primary School

Head Teacher: Amanda Dawson  
Norton Street, Radford, Nottingham NG7 3HJ  
Telephone: School: (0115) 91 51796  
Fax: (0115) 91 51795  
E-mail headteacher@mellers.nottingham.sch.uk  
Website: www.mellersprimary.co.uk



23 June 2015

### Attendance / Punctuality Contract

At Mellers Primary we recognise the good work that our families do to get their children to school on time, every day. Children get certificates and rewards and parents are informed through general newsletters and personal letters in the post.

However, as a result of circumstances beyond their control, it would be impossible for some children to achieve 100% attendance throughout their school life. In the main these circumstances relate to acute, diagnosed medical conditions. This contract will support the child to get recognition of good attendance and prevent inappropriate investigation or communication. We ask parents to sign this agreement and adhere to it.

Name of child.....

Medical condition .....

Doctor / clinic involved .....

.....  
.....  
.....

As the parent / carer of.....

I will:

- Make every effort to make appointments out of school times and if not attend school before or after these appointments
- Let school know of appointments and hospital stays well in advance
- Provide medical documentation of these appointments, etc.
- Sign the appropriate forms to allow school professionals to medicate in school time
- Ensure that medical professionals contact school with information / communication, especially hospital school
- Attend hospital school or ask school for a work pack to be sent home for an absence longer three days is anticipated.
- Negotiate with school a part time timetable should a full day of school be inappropriate
- Continue to send my child to school on time, every day for the rest of their school time

Signed..... Date.....

The school will:

- Complete registers with the appropriate codes
  - M medical appointment
  - I illness
  - B educated off site (if at hospital school)
  - C other authorised circumstances
- Analyse data with this information in mind, when calculating percentage attendance and organising rewards, letters, etc.
- Inform Education Welfare Service about this contract
- Inform the school nurse of this contract and offer further support for you and your child.
- Arrange work packs for children to complete whilst absent due to their medical condition

Signed..... Date.....

The child will:

- Come to school every day, on time
- Complete work set by school or at the hospital school
- Be aware of their medical conditions and tell school adults their needs.

Signed..... Date.....

## Mellers Primary School

Head Teacher: Amanda Dawson  
Norton Street, Radford, Nottingham NG7 3HJ  
Telephone: School: (0115) 915 1796  
Fax: (0115) 915 1795  
E-mail [headteacher@mellers.nottingham.sch.uk](mailto:headteacher@mellers.nottingham.sch.uk)  
Website: [www.mellersprimary.co.uk](http://www.mellersprimary.co.uk)



*date*

Dear *insert name of parents / carers*,

I am writing to you due to concerns regarding the punctuality of *insert child's name*. Our records show that *insert child's name* has been late to school *insert total lates and unauthorised lates* times.

Classroom doors open from 8.30 am allowing your child to arrive in their classroom ready to start learning. It is extremely important that your child arrives promptly as lateness has a negative impact on their learning outcomes. Arriving in the classroom late also disrupts other children's learning.

According to our policy - registers will be sent through to the office at 8.50 am and any child arriving after this time must enter through the main entrance, where they will be marked as late (**L code**) and self-register using the electronic system. After 9.00 am, any child arriving late will be marked as unauthorised absence, (**U code**) due to the amount of learning time already missed.

I have to remind you that if *insert child's name's* punctuality does not improve a referral to the Educational Welfare Service could be made and further action, including possible penalty notices, could be taken. Please do not hesitate to contact the school should you wish to discuss this letter or any issue that may be affecting your child's attendance. A copy of the school attendance policy is available on the website [www.mellersprimary.co.uk](http://www.mellersprimary.co.uk)

Yours sincerely,

Amanda Dawson  
Headteacher

Appendix h

**Mellers Primary School**

**Head Teacher: Amanda Dawson**

Norton Street, Radford, Nottingham NG7 3HJ

Telephone: School: (0115) 915 1796

Fax: (0115) 915 1795

E-mail [headteacher@mellers.nottingham.sch.uk](mailto:headteacher@mellers.nottingham.sch.uk)

Website: [www.mellersprimary.co.uk](http://www.mellersprimary.co.uk)



*date*

Dear *insert name of parents / carers*,

I am writing to you to make you aware of your child, *insert child's name*, attendance is a cause for concern and is now being closely monitored.

We recognise that there are genuine reasons for these absences and we thank all parents/carers who tell us why their children are absent from school.

However, even with this information we have to enforce the attendance policy, which is available on the school website [www.mellersprimary.co.uk](http://www.mellersprimary.co.uk) We aim to support families to achieve regular, high attendance at school.

Please continue to make every effort to get your child to school on time, every day. If you are concerned about attendance or need advice/support please contact school at the above number.

Yours sincerely,

Amanda Dawson  
Headteacher



## Mellers Primary School

**Head Teacher: Amanda Dawson**  
Norton Street, Radford, Nottingham NG7 3HJ  
Telephone: School: (0115) 915 1796  
Fax: (0115) 915 1795  
E-mail [headteacher@mellers.nottingham.sch.uk](mailto:headteacher@mellers.nottingham.sch.uk)  
Website: [www.mellersprimary.co.uk](http://www.mellersprimary.co.uk)



*date*

Dear *insert name of parents / carers*,

I am writing to you concerning your child, *inset child's name*, attendance remains unsatisfactory and is on track for your child to be considered a persistent absentee and we are required by law to investigate this further.

We recognise that there are genuine reasons for these absences and we thank all parents who tell us why their children are absent or late for school.

However, even with this information, we have to enforce the attendance policy, which is on our website [www.mellersprimary.co.uk](http://www.mellersprimary.co.uk) Our aim is to work tougher to raise the percentage of attendance and reduce lost learning.

Due to the seriousness of this letter, please continue to provide medical evidence if your child is ill for more than one day. This will allow us to authorise the absence, as it unauthorised absence that could lead to further action being taken.

Should further unauthorised absences be accrued the matter may be referred to the Education Welfare Service for legal action to be considered

Thank you for working with us and for your support with this concern.

Yours sincerely,

Amanda Dawson  
Headteacher

## Mellers Primary School

Head Teacher: Amanda Dawson

Norton Street, Radford, Nottingham NG7 3HJ

Telephone: School: (0115) 915 1796

Fax: (0115) 915 1795

E-mail [headteacher@mellers.nottingham.sch.uk](mailto:headteacher@mellers.nottingham.sch.uk)

Website: [www.mellersprimary.co.uk](http://www.mellersprimary.co.uk)



*date*

*address*

Dear *insert name of parents / carers*,

I am writing to you to confirm that a home visit was made today. This was to find out why your child, *insert child's name*, was not in school today.

Please contact the school as soon as possible to let us know about the absence, as until then, it is unauthorised. It is unauthorised absence that could lead to a referral to the Educational Welfare Service and further action, including possible penalty notices, being taken.

Thank you for your help and support,

Yours sincerely

Amanda Dawson  
Headteacher

Appendix k

**Mellers Primary School**

**Head Teacher: Amanda Dawson**

Norton Street, Radford, Nottingham NG7 3HJ

Telephone: School: (0115) 915 1796

Fax: (0115) 915 1795

E-mail [headteacher@mellers.nottingham.sch.uk](mailto:headteacher@mellers.nottingham.sch.uk)

Website: [www.mellersprimary.co.uk](http://www.mellersprimary.co.uk)



*Date*  
*address*

Dear *insert parent/carer's name*,

I am writing to you regarding your child, *insert child's name attendance*. *Insert child's name* has yet to return from the first day of absence *insert date*.

According to our school attendance policy, the timeline for absence is calculated as five days absence due to leave, ten days further absence triggers investigation and ten days further absence means the child may be removed from roll. A copy of the policy is available on the website [www.mellersprimary.co.uk](http://www.mellersprimary.co.uk)

*Please note here actions taken to find child/contact parents etc.* We have been supported by the Local Authority Child Missing in Education team with this.

This means that *insert child's name* will be taken of roll on *insert date* if he/she doesn't return. We are expecting him/her to return as soon as possible.

Please contact the school with more information, on the number above.

Thank you,

Yours sincerely,

Amanda Dawson  
Headteacher

## NOTTINGHAM CITY COUNCIL CODE OF CONDUCT IN RELATION TO PENALTY NOTICES

### 1. Rationale

1.1 Regular and punctual attendance of pupils at school is a legal requirement. Under section 7 of the Education Act 1996 parents are responsible for ensuring the efficient fulltime education according to the child's age, ability and aptitude and to any special needs the child may have for all compulsory school age children. The Education Welfare Service will investigate cases of irregular school attendance by undertaking casework and, where appropriate, instigate legal action under the Education Act 1996 for unauthorised absence.

1.2 This Code of Conduct will govern all Penalty Notices issued in respect of children of compulsory school age who are registered at a maintained school, a Pupil Referral Unit, an Academy, A City Technology College, a City College for the Technology of the Arts, Free Schools and those attending alternative provision within the jurisdiction of Nottingham City Council, hence referred to as the LA (Local Authority).

1.3 The term 'school' will apply to those establishments listed above.

1.4 The purpose of the code is to ensure that Penalty Notices are issued consistently and fairly across the LA. The issuing of Penalty Notices will be administered by the Education Welfare Service to ensure independence, proportionality and fairness regarding compliance with the law and regulations and that the provisions of this code do not conflict with other forms of statutory intervention pursued by the Education Welfare Service.

### 2. Guidance and Legislation

2.1 The Anti-Social Behaviour Act 2003, Section 23, Sub-Section (1) adds two new Sections (444A and 444B) to Section 444 of the Education act 1996. The Act empowers designated LA Officers, Head Teachers (and Deputy/Assistant Head Teachers authorised by them) and the Police, Community Support Officers and accredited persons to issue Penalty Notices. Under these sections, penalties are set at £60 if paid within 21 days of the notice, rising to £120 if paid after 21 days but within 28 days of the Notice. These Sections enable Penalty Notices to be

issued as an alternative to prosecution under Section 444 Education Act 1996 and enable parents to discharge liability for conviction for that offence by paying the penalty.

2.2 The Education (Penalty Notices) (England) (Amendment) Regulations 2013 amended the Education (Penalty Notices) (England) Regulations 2007 to the effect that leave of absence should only be granted where the application for leave has been made in advance and there are exceptional circumstances for the leave.

2.3 In relation to exclusions, The Education and Inspections Act 2006 section 103 places a duty on parents in relation to an excluded pupil to ensure that their child is not present in a public place during the first five days and school hours without reasonable justification. This criterion applies to each and every fixed term or permanent exclusion. These days are known as the 'specified days of exclusion.' Under section, 104 schools must notify parents in writing that they are responsible for the child during these days. Section 105 allows for a Penalty Notice to be issued to a parent guilty of an offence under section 103(3)

- School hours are defined 'as school session or the break between sessions on the same day'
- Public place means any highway or other public place to which the public have access
- Reasonable justification is provided by the parent prior to the issuing of a Penalty Notice. A justification which is reasonable will depend on points of fact and proof and is a matter for the Court.
- 

2.4 The parent is liable for a Penalty Notice if they fail to ensure the attendance of a child at the alternative provision following permanent exclusion.

2.5 Within this Code of Conduct a parent is as defined in Section 576 Education Act 1996.

### **3. Procedures for Issuing Penalty Notices**

3.1 The Education Welfare Service will consider requests for service and determine the appropriate response based on the evidence provided, the level of unauthorised absence and previous involvement. The decision to issue a Penalty Notice will be made on a case by case basis.

3.2 Parents will have been warned in writing before a Penalty Notice is issued.

3.3 In relation to Penalty Notices for exclusions or Truancy Patrols, the parent will be given the opportunity to provide a reason for the child being seen in a public place.

3.4 Penalty Notices will only be issued subject to the approval of the Service Manager or Legal Intervention Officers.

3.5 Penalty Notices will always be issued by first class post unless it is deemed appropriate to hand deliver the Penalty Notice.

3.6 No parent will receive more than three Penalty Notices resulting from the unauthorised absence of an individual child in any twelve-month period. Unless the child is encountered for a second or subsequent time on a truancy patrol or the child is seen in a public place while excluded.

3.7 The collection of payments and issuing of receipts will be administered by the Local Authority.

#### **4. Circumstances for Issuing a Penalty Notice**

4.1 Penalty Notices can be issued for

- Irregular attendance (unauthorised absence)
- Unagreed leave for holiday or absence
- Excluded pupil failing to attend provision after the fifth day of exclusion
- Excluded pupil seen in a public place within the first five days of the exclusion
- Pupil stopped on more than one occasion during a three-month period
- On behalf of neighbouring Local Authorities

4.2 Penalty Notices will be issued to a parent(s) if:

- the pupil has at least 38 unauthorised absences over the equivalent of a school year (380 sessions) or;
- a Deferred Prosecution Notice has been breached
- an Advisory Notice has been breached

In the case of unagreed leave, Penalty Notices will be issued if

- There have been at least 10 consecutive school sessions of unauthorised absence or
- If the unagreed leave of absence immediately precedes, or is attached to, a school closure (e.g. school holidays/INSET/school closure etc.) or any form of absence.

Unauthorised absence is where the school has either not received a reason for absence or the reason given is unacceptable. It is the Head Teacher who determines whether or not the absence is authorised.

## **5. Withdrawing a Penalty Notice**

5.1 A Penalty Notice may be withdrawn by the Local Authority in any case the authority determines that:

- when it has not been issued in accordance with the Code of Conduct
- It has been issued to the wrong person.
- It contains material errors
- Where the LA decide not to prosecute the offence

## **6. Payment of Penalty Notices**

6.1 Non-payment of the Penalty Notice must result in the consideration of prosecution under section 444(1) Education Act 1996. The fact that a Notice was issued and unpaid can be used as evidence in the prosecution case.

6.2 There is no mechanism to pay by instalments or to appeal the issuing of a Penalty Notice.

6.3 Revenue generated from the Penalty Notices will be used to cover the costs of issuing and enforcing notices or the cost of prosecuting parents who do not pay. Any surplus will be surrendered to the Secretary of State.

## **7. Administration of the Penalty Notice Scheme**

7.1 The Penalty Notice Scheme will be administered by the Education Welfare Service with support from the Finance Department.

7.2 The purpose of this Code of Conduct is to ensure that the powers are applied consistently and fairly across the Local Authority and to state the administration arrangements of the scheme.

7.3 Any person authorised to issue a Penalty Notice shall only do so in accordance with this Code of Conduct.

This Code of Conduct will be regularly reviewed and developed in accordance with DfE guidance, legislation, case law and local circumstances.