

## Attendance - Frequently Asked Questions

Local authorities and all schools have legal powers to use parenting contracts, parenting orders and penalty notices to address poor attendance and behaviour in school. In addition to using these powers, local authorities and schools can develop other practices to improve attendance.

The information below is collated from Statutory Guidance issued by law published on [www.gov.uk](http://www.gov.uk)

- **What are my responsibilities as a parent?**

Parents have a duty to ensure that their children of compulsory school age are receiving suitable full-time education. Some parents may elect to educate their children at home and may withdraw them from school at any time to do so, unless they are subject to an Education Supervision Order.

- **What is the Academy's responsibility?**

Schools must monitor students' attendance through their daily register. Schools should agree with their local authority the intervals at which they will inform local authorities of the details of students who fail to attend regularly, or have missed ten school days or more without permission. Schools should monitor attendance closely and address poor or irregular attendance. It is important that students' poor attendance is referred to the local authority.

- **Why have I received a visit from the Academy at my home address?**

Where parents fail to inform the Academy of a reason for a student's absence and we have been unable to obtain a reason via phone call, email or text message, we may visit the home address to safeguard our students.

- **Can a parent take their child on holiday during term time?**

Head teachers should only authorise leave of absence in exceptional circumstances. If a head teacher grants a leave request, it will be for the head teacher to determine the length of time that the child can be away from school. **Leave is unlikely, however, to be granted for the purposes of a family holiday as a normal.**

- **Are students entitled to study leave?**

No. Study leave should not be granted by default once tuition of the exam syllabus is complete, and study leave should only ever be granted to students in year 11. If schools do decide to grant study leave, provision should still be made available for those students who want to continue to come into school to revise.

- **Why has my child been placed on an Attendance Support Plan?**

An attendance support plan is a formal, written, signed agreement between parents and the Academy. It is a **supportive** measure taken by the Academy before the Local Authority decides to start formal proceedings and contains:

- A statement by the parents that they agree to comply for a specified period with whatever requirements are set out in the contract; and
- A statement by the local authority or governing body agreeing to provide support to the parents for the purpose of complying with the contract.

Parenting contracts can be used in cases of misbehaviour or irregular attendance at school or alternative provision. Parenting contracts are voluntary but **any non-compliance should be recorded by the school or local authority as it may be used as evidence in court** where an application is made for a behaviour parenting order.

- **Can I be prosecuted if I do not ensure my child attends school regularly?**

Yes. If a child of compulsory school age fails to attend regularly at a school at which they are registered, or at a place where alternative provision is provided for them, the parents may be guilty of an offence and can be **prosecuted by the local authority**.

The fines available to the courts if parents are found guilty of the section 444 (1) offence include a level 3 fine of up to £1,000. If they are found guilty of the section 444 (1A) the fine is at level 4, up to £2,500 and the court can also sentence them to imprisonment for up to three months. **Local authorities have the power to prosecute parents** of students found in a public place during school hours after being excluded from school. The fine is a level 3 fine of up to £1,000.

The Local Authority may apply to a court for an Education Supervision Order. A supervisor will be appointed to help you get your child into education. The local authority can do this instead of prosecuting you, or as well.

- **Can the Academy place a student on a part-time timetable (Re-integration)?**

As a rule, no. All students of compulsory school age are entitled to a full-time education. In **very exceptional circumstances** there may be a need for a temporary part-time timetable to meet a student's individual needs where we would also take advice from fellow professionals i.e. an Education Psychologist. An example would be where a medical condition prevents a student from attending full-time education and a part-time timetable is considered as part of a re-integration package. Any pastoral support programme or other agreement must have a time limit by which point the student is expected to attend full-time or be provided with alternative provision.

- **Why have I received a Penalty Notice?**

Penalty notices are fines of £60/£120 imposed on parents. Penalty notices can be used where the student's absence has not been authorised by the school. Penalty notices may also be issued where parents allow their child to be present in a public place during school hours without reasonable justification during the first five days of a fixed period or permanent exclusion. The parents must have been notified by the school at the time of the exclusion and the days to which it applies.

The penalty is £60 if paid within 21 days of receipt rising to £120 if paid after 21 days but within 28 days. **The payment must be paid direct to the local authority**. The parents can only be prosecuted if 28 days have expired and full payment has not been made.

**There is no right of appeal by parents against a penalty notice**. If the penalty is not paid in full by the end of the 28 day period, the local authority must decide either to prosecute for the original offence to which the notice applies, or withdraw the notice.

- **Is my child of compulsory school age?**

A child continues to be of compulsory school age until the last Friday of June in the school year that they reach 16. Children are required to continue in education until their 18<sup>th</sup> birthday.