Riccall Community Primary School Attendance Policy

Approved by:	Governing Body	**Date:**	8/7/26
Last reviewed on:	8/7/26		
Next review due by:	July 2027 (annual review recommended by governors)		

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1. Aims

We are committed to meeting our obligations with regard to school attendance through a whole-school culture and ethos that values good attendance, including:

- Promoting good attendance and a strong sense of belonging.
- Reducing absence, including persistent and severe absence, through early supportive intervention.
- Ensuring every pupil has access to the full-time education to which they are entitled.
- Acting early to dynamically address patterns of absence.
- Building strong, collaborative partnerships with families to listen to, understand, and help remove barriers to school attendance.
- Promoting and supporting excellent punctuality in attending lessons.

2. Legislation and Guidance

This policy meets the requirements of the statutory *Working together to improve school attendance* framework 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
- The School Attendance (Pupil Registration) (England) Regulations 2024
- The Education (Penalty Notices) (England) (Amendment) Regulations 2024

This policy also incorporates evidence-based principles from the DfE toolkit *"A guide for schools on communicating with parents about attendance"* and the national *"Attendance toolkit for schools"*.

3. Roles and Responsibilities

3.1 The Governing Board

The governing board is responsible for:

- Promoting the importance of school attendance across the school's policies and ethos.
- Making sure school leaders fulfil expectations and statutory duties.
- Regularly reviewing, scrutinizing, and challenging attendance data trends.
- Monitoring cohort-level attendance figures for the whole school.
- Ensuring staff receive adequate operational training on attendance management.
- Holding the headteacher to account for the rigorous implementation of this policy.

3.2 The Headteacher

The headteacher is responsible for:

- Overseeing the systemic implementation of this policy across the school.
- Monitoring school-level absence data and regularly reporting trends to governors.
- Supporting staff with monitoring the attendance of individual pupils.
- Evaluating the effectiveness of implemented attendance support strategies.
- Authorising the referral of cases to the Local Authority for legal sanctions or fixed-penalty notices, where support pathways have been exhausted.
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3.3 The Designated Senior Leader Responsible for Attendance

The designated senior leader is responsible for:

- Leading attendance strategies across the school and offering a clear vision for attendance improvement.
- Evaluating and monitoring staff compliance with registration and follow-up processes.
- Having direct oversight of proactive data analysis, utilizing tools like the DfE's *View Your Education Data (VYED)* and automated heatmaps to catch recurring trends (e.g., transition points, cohort vulnerabilities).
- Coordinating the Banded Support Pathway and overseeing targeted interventions for families.
- Serving as the Communications Gatekeeper, ensuring all attendance communications (letters, scripts, phone scripts) focus on partnership, support, and clarity rather than defensive or metric-heavy language.
- The designated senior leader responsible for attendance is Jamie Llewellyn and can be contacted via headteacher@riccall.n-yorks.sch.uk or 01757 248234.

3.4 The Attendance Champion

The school attendance champion is responsible for:

- Working alongside the SLT and governors to maintain effective administrative systems for tracking and tackling absence.
- Executing daily and weekly attendance monitoring and analysis schedules.
- Benchmarking attendance data against national and local metrics to identify areas of focus.
- Providing regular attendance trend updates to class teachers and school leaders.
- Using the toolkit's LEAP framework (Listen, Empathise, Ask, Problem-Solve) when communicating directly with families.
- Working collaboratively with local authority attendance teams and education welfare officers to navigate complex cases.
- The operational attendance champion is Caroline Adams and can be contacted via admin@riccall.n-yorks.sch.uk or 01757 248234.

3.5 Class Teachers

Class teachers are responsible for:

- Recording attendance twice daily using the correct statutory codes on ScholarPack.
- Submitting register data strictly by **9:05am** for the morning session and **1:05pm** for the afternoon session.
- Informing the office immediately via the absence log if an unexpected absence occurs or if a child returns after a pattern of absence.
- Fostering a welcoming classroom environment that actively celebrates regular attendance and welcomes returning pupils back warmly.
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3.6 School Admin and Front-Office Staff

School admin staff will:

- Receive calls from parents regarding day-to-day absence and input information using the appropriate register sub-codes immediately.
- Apply the **LEAP framework** during morning call-backs to build a collaborative dialogue with parents.
- Flag any unexplained absences or vulnerabilities to the Attendance Champion immediately.
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3.7 Parents/Carers

Parents/carers are expected to:

- Ensure their child attends school every day on time to maximize their learning and social development.
- Call the school to report their child's absence before **9:00am** on the first day of an unplanned absence and provide a clear update for each subsequent day of absence, unless a definitive return date was provided.
- Provide the school with at least two valid emergency contact numbers for their child.
- Schedule medical, dental, or therapeutic appointments outside of school hours wherever possible.
-

3.8 Pupils

Pupils are expected to:

- Arrive at school every day on time, ready to enjoy learning alongside their peers.

4. Recording Attendance

4.1 Attendance Register

We will keep a digital attendance register on ScholarPack, placing all pupils onto it. Registers are taken at the start of the morning session and once during the afternoon session.

Any amendment to the attendance register will preserve the original entry, show the amended entry, state the exact reason for the amendment, track the date of the amendment, and log the name/position of the person making the change. Entries will be preserved for **6 years** after the date they were recorded.

- Pupils must arrive in school by **8:50am**.

- Morning registration opens at **8:55am** and closes at **9:30am**. (Arrivals between 8:55am and 9:30am are marked as late code **L**).
- Afternoon registration opens at **1:00pm** and closes at **1:30pm**.

4.2 Unplanned Absence & Mild Illness Guidance

Parents must contact the school before 9:00am on the morning of absence. Illness will be marked as authorised unless the school has a genuine, evidence-based concern about the authenticity of the illness. Medical evidence will never be requested unnecessarily.
In alignment with the DfE Toolkit and official NHS *"Is my child too ill for school?"* guidelines, the school applies the following practical baseline:

- **Child should attend school:** In cases of mild symptoms such as common colds, minor coughs, runny noses, or mild headaches, provided the child does not have a high temperature.
- **Child must stay home:** In cases of a high temperature (38°C or above), active vomiting/diarrhoea (must remain home for 48 hours after the last episode), or infectious diseases matching public health exclusion windows (e.g., chickenpox, measles).

Where attendance difficulties stem from chronic health conditions, anxiety, or **Emotionally Based School Avoidance (EBSA)**, the school will not automatically default to unauthorized codes. Instead, the school will work in partnership with the family and medical/psychological professionals to put in place reasonable adjustments, support plans, or phased re-integration protocols.

4.3 Planned Absence

Medical or dental appointments are counted as authorised if proof of the appointment (appointment card, text screenshot, or letter) is shared in advance. Pupils should only be out of school for the minimum amount of time necessary for the appointment and we encourage parents to attempt to make dental and medical appointments outside of school hours. Parents must apply for other types of term-time leave as far in advance as possible.

4.4 Lateness and Punctuality

Arrivals after the register has closed (**9:30am** or **1:30pm**) must be recorded as an unauthorised absence using code **U**. If a pattern of persistent lateness emerges, the Attendance Champion or Home-School Link Worker will contact the parents to offer practical, supportive interventions to resolve morning routines.

4.5 Following Up Unexplained Absence (Safeguarding Protocols)

Where a pupil is absent without prior explanation, the school will:
- Call the parent/carer on the first morning of absence to ascertain the reason, utilizing a supportive, inquiring approach.
- If an absent pupil has an allocated Social Worker, the school will proactively notify the child's social worker on the **first morning** of any unexplained absence as part of our multi-agency safeguarding duty.
- If emergency contacts cannot be reached, a home visit may be conducted by designated school staff to establish the child's safety and well-being.

- Staff will input the correct attendance code **as soon as the reason is established**, ensuring temporary **N** codes are resolved rapidly and are not left sitting on the register.

4.6 Reporting to Parents/Carers

The school will regularly share clear, factual attendance data with parents during termly progress reviews and through targeted communications, focusing on **the exact number of days/lessons missed** alongside percentages to maximise visual clarity.

5. Authorised and Unauthorised Absence

5.1 Approval for Term-Time Absence

In accordance with Regulation 11 of the *School Attendance (Pupil Registration) (England) Regulations 2024*, leaves of absence will only be granted by the headteacher under **exceptional circumstances**. Headteachers are legally prohibited from authorising term-time leaves for standard family holidays.

Valid categories under Regulation 11 include:
- Taking part in a regulated performance or employment abroad.
- Attending an interview for another educational institution or employment.
- Agreed study leave.
- A time-limited, part-time timetable (used strictly as an exceptional, temporary support measure with parent consent and clear review dates).
- Exceptional individual circumstances (e.g., service personnel returning from active deployment, acute family crisis, or acute medical rehabilitation).

Applications must be submitted using the school's formal request form at least **6 weeks** in advance, accompanied by written supporting evidence. Financial savings associated with off-peak travel do not constitute exceptional circumstances.

5.2 Legal Sanctions

Where a support-first approach has failed, or where a deliberate unauthorised term-time holiday is taken, the school may refer the case to North Yorkshire Council (NYC) to consider legal measures.

The local authority determines whether a penalty notice should be issued and can fine parents for the unauthorised absence of their child from school, where the child is of compulsory school age.

From August 19 2024, NYC policy is to issue penalties per child per family, although legislation indicates that the LA can issue penalty notices per parent per child, current local policy remains per child per family.

If issued with a fine or penalty notice, each parent must pay £80 within 21 days or £160 within 28 days.

Only two penalty notices can be issued per child in a three-year rolling period:

- A second penalty notice will be charged at a standard £160.

- A third penalty notice will not be issued but will be subject to alternative action which may include prosecution or other attendance legal interventions.

The payment must be made directly to the local authority. Penalty notices can be issued by a headteacher, local authority officer or the police.

The decision on whether or not to issue a penalty notice may take into account:

- The number of unauthorised absences occurring within a rolling academic year.
- One-off instances of irregular attendance, such as holidays taken in term time without permission.
- Where an excluded pupil is found in a public place during school hours without a justifiable reason.

There is no formal right of appeal by parents against a penalty notice once issued. If the penalty is not paid in full by the end of the 28-day period, the Local Authority must decide whether to pursue a prosecution for the original offence to which the notice applies and/or withdraw the notice.

Please see the North Yorkshire local authority's code of conduct for the use of penalty notices for further information.

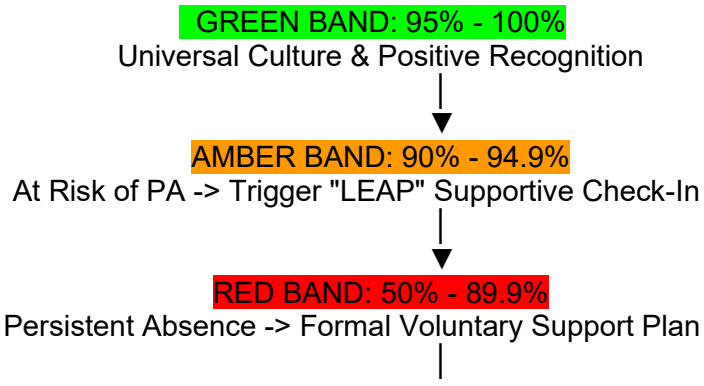
6. Strategies for Promoting Attendance

To foster a warm environment where children want to be present, we implement the following universal strategies:

- Celebrating class-level attendance achievements above 96% through positive recognition.
- Contacting parents of children who have demonstrated significantly improved or attendance over a half-term.
- Ensuring smooth transition programs (Early Years to Key Stage 1, and Year 6 to secondary) that proactively utilize historical attendance trends to identify and support families facing barriers *before* the start of the academic year.

7. Attendance Monitoring and Interventions

To embed a true "support-first" culture, the school operates a clear, structured **Banded Support Pathway** based on the national DfE operational toolkit. Interventions focus on collaboration, identifying barriers, and applying the **LEAP framework (Listen, Empathise, Ask, Problem-Solve)** rather than leading with punitive threats.



▼

PURPLE BAND: Below 50%

Severe Absence -> Multi-Agency Casework & Social Care

7.1 The Banded Support Protocols

GREEN BAND: Regular Attendance (95% – 100%)

- **Focus:** Prevention and universal celebration.
- **Action:** Daily tracking, whole-school positive reinforcement, and sending positive recognition letters to celebrate consistent engagement.

AMBER BAND: At Risk of Persistent Absence (90% – 94.9% attendance)

- **Focus:** Early supportive intervention.
- **Action:** Triggered when data highlights a downward trend. The Attendance Champion or Class Teacher performs a supportive, light-touch check-in. The school will issue a factual, warmly phrased notification letter highlighting the exact number of school days missed to ensure clarity, inviting the parent to share any home or school-based barriers.

RED BAND: Persistent Absence (PA) (80% – 89.9%attendance)

- **Focus:** Targeted multi-agency support.
- **Action:** The school will invite parents to a collaborative meeting to co-produce a formal **Voluntary Attendance Support Plan**. This plan outlines the exact barriers identified (e.g., SEND, medical issues, anxiety) and sets out the reasonable adjustments, internal mentoring, or external local authority support resources the school commits to providing. Legal escalation is only considered if the family refuses to engage with the voluntary support options offered.

PURPLE BAND: Severe Absence (SA) (Below 50% Attendance)

- **Focus:** Intensive casework.
- **Action:** Joint multi-agency approach pulling in social care, local authority specialist teams, and medical professionals to provide highly tailored alternative education options or intensive family interventions.

8. Monitoring Arrangements

This policy will be reviewed dynamically as national DfE or Local Authority guidance is updated, and at a minimum annually by the Headteacher and Senior Leadership Team. At every review cycle, the policy must be reviewed and formally approved by the full governing board.

9. Links with Other Policies

This policy operates alongside and directly links to:

- Child Protection Policy
- Behaviour Policy
- Special Educational Needs and Disabilities (SEND) Policy
- Supporting Pupils with Medical Conditions Policy

Appendix 1: attendance codes

The following codes are taken from the DfE's guidance on school attendance.

Code	Definition	Scenario
/	Present (am)	Pupil is present at morning registration
****	Present (pm)	Pupil is present at afternoon registration
L	Late arrival	Pupil arrives late before register has closed
B	Off-site educational activity	Pupil is at a supervised off-site educational activity approved by the school.
D	Dual registered	Pupil is attending a session at another setting where they are also registered
K	Attending education provision arranged by the local authority	The pupil is attending a place, other than the school or any other school at which they are a registered pupil, for educational provision arranged by a local authority under section 19(1) of the Education Act 1996 (exceptional provision of education), section 42(2), or 61(1) of the Children and Families Act 2014 (special educational provision off site). A pupil attending provision arranged by the school rather than the local authority must be recorded using Codes P or B instead.
P	Sporting activity	Pupil is participating in a supervised sporting activity approved by the school
Q	Unable to attend the school because of a lack of access arrangements	The pupil is unable to attend the school because a local authority has a duty set out in regulation 10(12) or (13) to make access arrangements to enable the pupil's attendance at school and have failed to do so.
V	Educational trip or visit	Pupil is on an educational visit/trip organised, or approved, by the school
W	Work experience	Pupil is on a work experience placement

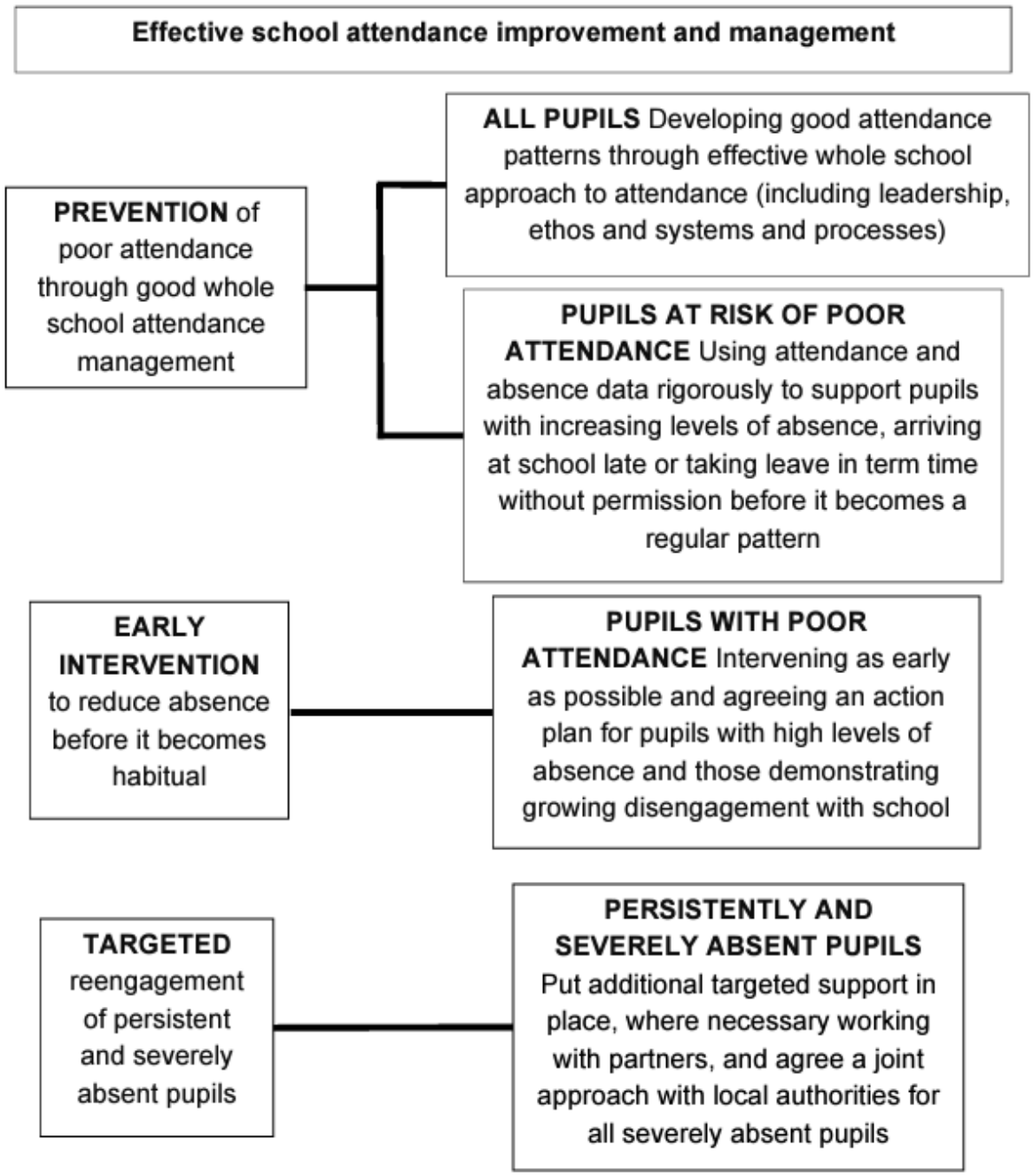
Code	Definition	Scenario
Authorised absence		
C	Leave of absence for exceptional circumstances	Pupil has been granted a leave of absence due to exceptional circumstances.
C1	Leave of absence – regulated performance	Pupil has been granted a leave of absence for the purpose of participating in a regulated performance or undertaking regulated employment abroad.
C2	Leave of absence for a pupil subject to a part-time timetable.	A time-limited, part-time timetable has been agreed for a compulsory school age pupil.
E	Excluded	Pupil has been excluded but no alternative provision has been made
I	Illness	School has been notified that a pupil will be absent due to illness
M	Medical/dental appointment	Pupil is at a medical or dental appointment
R	Religious observance	Pupil is taking part in a day of religious observance
S	Study leave	Year 11 pupil is on study leave during their public examinations
T	Gypsy, Roma and traveller absence	Pupil from a traveller community is travelling, as agreed with the school
Unauthorised absence		
G	Unauthorised holiday	Pupil is on a holiday that was not approved by the school
N	Reason not provided	Pupil is absent for an unknown reason (this code should be amended when the reason emerges, or replaced with code O if no reason for absence has been provided after a reasonable amount of time)
O	Unauthorised absence	School is not satisfied with reason for pupil's absence

U	Arrival after registration	Pupil arrived at school after the register closed

Pupils not expected to attend school

Code	Definition	Scenario
X	Not required to be in school	Pupil of non-compulsory school age is not required to attend
Y1	Unable to attend due to transport normally provided not being available	School site is closed, there is disruption to travel as a result of a local/national emergency, or pupil is in custody
Y2	Unable to attend due to widespread disruption to travel	
Y3	Unable to attend due to part of the school premises being closed.	Pupil is unable to attend due to part of the school premises being closed; this may be due to damage or teacher strikes.
Y4	Unable to attend due to the whole school site being unexpectedly closed.	Pupil is unable attend because the school is closed due extreme weather, damage, no hot water, or heating.
Y5	Unable to attend as pupil is in criminal justice detention.	Pupil is unable to attend as they are in police detention, remanded to youth detention, awaiting trial or sentencing, or detained under a sentence of detention.
Y6	Unable to attend in accordance with public health guidance or law.	The pupil is unable to attend as the pupil's travel or attendance would be contrary to any guidance to the incidence or transmission of infection or disease published by the Secretary of State for Health and Social Care or prohibited by any legislation relation to the incidence or transmission of infection or disease.
Y7	Unable to attend because of any other unavoidable cause.	The pupil is unable to attend as an emergency has prevented the pupil from attending. The unavoidable cause must be something that affects the pupil, not just the parent.
Z	Pupil not on admission register	Register set up but pupil has not yet joined the school
#	Planned school closure	Whole or partial school closure due to half-term/bank holiday/INSET day

Appendix 2: Taken from DfE ‘Working Together to Improve School Attendance’



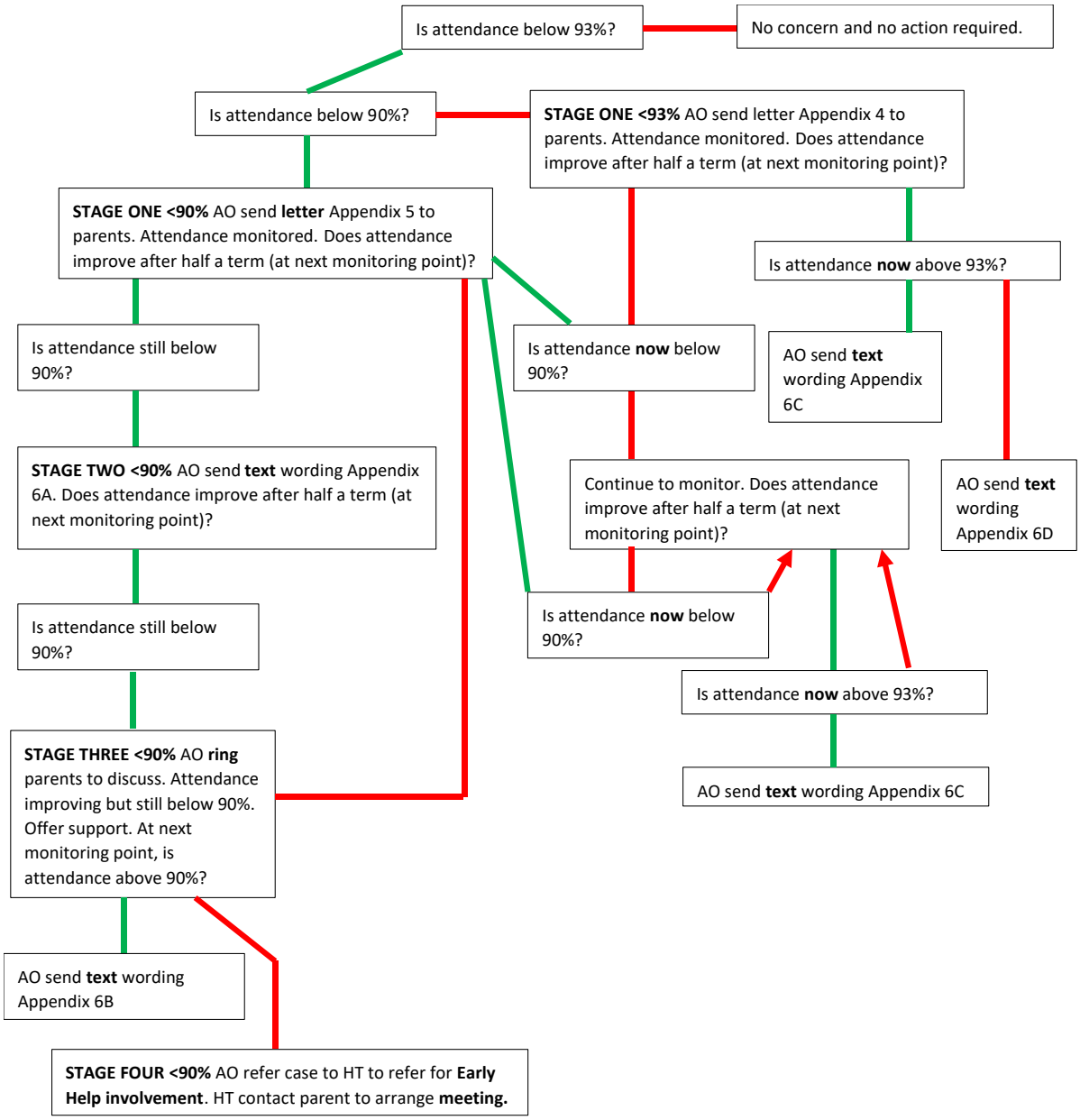
APPENDIX 3: ATTENDANCE MONITORING AND MANAGEMENT AT RICCALL CP SCHOOL

MONITORING

At the end of every month, the DSL will look at the attendance figures for every child from the start of the school year to the end of the current term. A report will be generated and shared with the AO and pupils whose attendance is low will be flagged:

1) Children whose attendance is less than 93%
2) Children whose attendance is less than 90%

ACTIONS TO BE TAKEN



Reasons for <93% and <90% attendance will be considered. For example if a pupil has had a period of explained absence due to a medical procedure or if they have taken authorised or unauthorised leave then this will be considered before sending a letter home.

APPENDIX 4 – below 93% attendance letter



Riccall Community Primary School
Coppergate, Riccall, York YO19 6PF
Tel: 01757 248234
Email: admin@riccall.n-yorks.sch.uk
www.riccallprimary.co.uk

DATE

Dear XXXXXXXX

Re: School Attendance Monitoring – [Child's Name]

As part of our commitment to supporting every child's education, we review pupil attendance on a regular basis. I am writing to let you know that [Child's Name]'s current attendance has dropped to **[Insert %]%** .

While we understand that illness and minor bugs are common, an attendance level below 93% means your child is starting to miss out on a noticeable amount of learning, classroom routines, and social time with friends.

Our main goal in contacting you is purely preventative. If a child's attendance drops below 90%, the Department for Education classifies them as a 'Persistent Absentee'. We want to work together with you now to ensure [Child's Name]'s attendance remains stable and doesn't reach that threshold.

What happens next?

We will continue to monitor [Child's Name]'s attendance profile over the coming weeks, hoping to see a steady rise back toward our school target. No formal action is required from you at this stage.

However, if there are any specific barriers, health concerns, or difficulties you are facing at home that are making it hard to get your child into school, please do get in touch with us. We are here to listen and help in any way we can.

Thank you for your time, support, and continued partnership.

Kind regards,

Mrs C Adams

Attendance Champion

APPENDIX 5 – below 90% letter (persistent absentee)





Riccall Community Primary School
Coppergate, Riccall, York YO19 6PF
Tel: 01757 248234
Email: admin@riccall.n-yorks.sch.uk
www.riccallprimary.co.uk

DATE

Dear XXXXXXXX

Re: School Attendance Support – [Child's Name]

As part of our regular half-termly attendance monitoring, we are contacting you regarding [Child's Name]'s current attendance level, which is currently sitting at [Insert %]% .

The Department for Education classifies any child whose attendance falls below 90% as a 'Persistent Absentee'. This level of absence represents a significant amount of missed learning and school routine, which can quickly impact your child's academic progress and social confidence.

We know that every family faces different circumstances, and our primary goal is always to work in partnership with you to find out how we can help improve things. We want to support [Child's Name] in being in school every day so they can get the absolute best from their education.

What happens next?

1. We will continue to monitor [Child's Name]'s attendance closely over the coming weeks.
2. A member of our attendance team will be in touch shortly to arrange an informal chat or a meeting so we can look at any barriers to attendance together and build a supportive plan.

If you are already experiencing specific difficulties or feel you require immediate support to help improve your child's attendance, please do not hesitate to contact us directly.

Thank you for your cooperation and your continued partnership.

Kind regards,

Mrs C Adams

Attendance Champion

APPENDIX 6A

Text to parents:

Attendance. Your child's attendance is improving. Thank you. However it is still below 90%. We will check again in half a term.

APPENDIX 6B

Text to parents:

Attendance. Your child's attendance has improved and is now above 90%. We will continue to check improvement continues. Thank you.

APPENDIX 6C

Text to parents:

Attendance. Your child's attendance has improved and is now above 93%. Thank you.

APPENDIX 6D

Text to parents:

Attendance. Your child's attendance is improving. Thank you.

APPENDIX 7: Term Time Leave of Absence- FAQs for Parents (September 2024)

1. **Who can make the decision not to agree / authorise the requested leave of absence?**

   The headteacher at the school makes the decision about whether to authorise term time leave requests. **However, statutory regulations make it clear that headteachers are not allowed to class any term time holiday as exceptional.** Therefore, headteachers can only grant leave in 'exceptional circumstances'. There is no statutory criteria for exceptional circumstances but some of the following reasons may apply:

   - Service personnel returning from active deployment
   - Where inflexibility of the parents' leave or working arrangement is part of the organisational or company policy. This would need to be evidenced by the production or confirmation from the organisation/company
   - Where leave is recommended as part of a parents' or child's rehabilitation from medical or emotional problems. Evidence must be provided
   - When a family needs to spend time together to support each other during or after a crisis

   Leave is only authorised where such 'exceptional circumstances' apply and cannot be granted on the basis of attendance record, academic performance or the 'experience' offered by being out of school. The potential savings made by travelling on holiday during term time are also not a factor which can be considered.

2. **What evidence is required for meeting the criteria for 'exceptional circumstances'?**

   Supporting evidence must be submitted if parents wish the headteacher to consider their application as an 'exceptional circumstance'. This would be in the form of a letter (on official headed paper) or email from a verified email account. Examples may include:
   Deployment records
   Correspondence from an employer stating that no other dates are available for their employee to take leave during any of the 13-week school holidays available
   Medical records or a letter from a medical practitioner

   This evidence forms part of the legal record for authorising absence. The headteacher reserves the right to independently verify the source of the source of the evidence and may make contact with employers, if required.

   If the request for leave of absence does not have supporting evidence then leave of absence will be unauthorised and a Penalty Notice may be issued if the leave is taken without the permission of the Head teacher.

3. **Can a leave of absence be agreed/ authorised retrospectively?**

   No. If parents/carers have not applied to the school in advance then the request cannot be agreed / authorised retrospectively and should be coded as unauthorised absence. Leave of absence cannot be applied for retrospectively. Parents must apply for leave of absence at least 6 weeks prior to the first date of absence. Parents must obtain permission from the school before making any arrangements for leave.

4. **When are penalty notices (fines) issued by the Local Authority?**

   Penalty notices will be issued when the threshold is met. The threshold is:

   10 sessions of unauthorised absence in a rolling period of 10 school weeks.

   A school week means any week in which there is at least one school session. A session is a morning or afternoon – each school day consists of 2 sessions.

   This can be met with any combination of unauthorised absence:
   e.g 4 sessions of holiday taken in term time plus 6 sessions of arriving late after the register closes all within 10 school weeks.

   These sessions can be consecutive (e.g. 10 sessions of holiday in one week) or not (e.g. 6 sessions of unauthorised absence taken in 1 week and 1 per week for the next 4 weeks) The period of 10 school weeks can also span different terms or school years (e.g. 2 sessions of unauthorised absence in the Summer Term and a further 8 within the Autumn Term).

   *** NEW From September 2024 * Two penalty notice limit and escalation in cases of repeat offences**

   A penalty notice is an out of court settlement which is intended to change behaviour without the need for criminal prosecution.

   From the start of the autumn term 2024, **only 2 penalty notices can be issued to the same parent in respect of the same child within a 3 year rolling period and any second notice within that period is charged at a higher rate**:
   • The first penalty notice issued to a parent in respect of a particular pupil will be charged at £160 if paid within 28 days. This will be reduced to £80 if paid within 21 days. (previously £60 if paid within 21 days)

   • A second penalty notice issued to the same parent in respect of the same pupil is charged at a flat rate of £160 if paid within 28 days.

   • A third penalty notice cannot be issued to the same parent in respect of the same child within 3 years of the date of issue of the first.

In a case where the national threshold is met (10 sessions of unauthorised absence in a rolling period of 10 school weeks) for a third time (or subsequent times) within those 3 years, alternative action should be taken instead. **This will often include considering prosecution**, but may include other attendance legal interventions.

Once 3 years has elapsed since the first penalty notice was issued a further penalty notice can be issued, but in most cases it would not be the most effective tool for changing what may have now become an entrenched pattern of behaviour.

5. How do I apply for term time leave of absence?

Parents must complete an official request form and submit it to school at least 6 weeks prior to the first day of absence requested. Forms are available from the school office or can be downloaded from the school website.

6. How will I be notified of the decision?

The headteacher will respond in writing to your request. As the letter is key evidence in any possible future court case, the letter is posted out to you. This ensures that the letter is deemed as served to you, the parent, with regard to legal requirements.

We will address the letter to both parents if they live in the same household. If parents live in separate households, letters will be sent to both parents who have legal parental responsibility, regardless of whose name the application is in.

7. Will children under 5 years be issued with a penalty notice if un agreed leave of absence is taken in term time?

Children become of mandatory school age the term after their fifth birthday Only children of mandatory school age come under the scheme. This means that some children in EY may not be of statutory school age and therefore no penalty notice would be issued.

8. Does the school or the LA make the decision to pursue the issuing of a penalty notice?

Following parents/carers taking the child/ren on un agreed/ unauthorised leave of absence which meets the criteria for the issuing of a penalty notice i.e. 10 school sessions /5 school days (whether in one absence or cumulatively over 4 months), the Headteacher must submit relevant documentation to the LA as follows:

- Certificate of absence for un agreed leave of absence for the period in question
- Witness statement written and signed by the Head teacher
- Copy of leave of absence application form from parent/carer including reason for request and the Head teacher's reply (if possible)

The LA will then determine whether a penalty notice should be issued.

9. What if I take my child out of school without completing prior a written application?

No request for leave of absence can be granted retrospectively so in such circumstances, leave would be unauthorised.

10. Is the Penalty Notice issued per parent per child?

A penalty notice of £80/ child is payable within the first 21 days and rises to £160 thereafter. The Local Authority will consider taking legal action if the penalty notice is not paid within 28 days of date of issue. Legal action may result in a fine of up to £2,500 and a criminal record for each parent/carer.

Legislation indicates that the LA can issue penalty notices per parent per child. However, current NYC policy is to issue penalties per child per family. The authority will determine on a case by case basis which option is most suitable based on information received but can still exercise its legal right to issue penalties per child per parent.

This means that in a family with 2 children and 2 parents with legal parental responsibility the fine is likely to be:

Per child per family: Child A - £80 / Child B - £80 Total £160

However, the LA could choose to issue per child per parent as follows:
Child A - £80 x 2 (per parent) and Child B £80 x 2 (per parent) Total : £320

11. If the Penalty Notice is not paid, what happens next?

The LA would consider progressing the case to the magistrates' court under the Education Act 1996 Section 444 (1). An officer of the Education Social Work Service would present the case initially but, if a not guilty plea is entered by the parent, then the initial hearing would be adjourned to prepare for a full trial.