



Attendance Policy

REVIEWED BY HEADTEACHER: 25.11.25

BY GOVERNORS: 28.1.2026

Next review date: 25.11.2026

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September 2024	Amendments to school codes, Penalty Notice Fines, Systems (change 12 sessions to 10 sessions) and the team to Education Inclusion and Partnership team. Changes made inline with guidance published August 2024
November 2024	Amendment regarding unauthorised late attendance.
November 2025	Amended Fixed Penalty Notice fee.

Hall Meadow Primary School is committed to ensuring the welfare and safety of all our children in school. We believe that pupils have a right to learn in a supportive, caring and safe environment which includes the right to protection from all types of abuse. All of our school policies and procedures reflect this priority.

Respect Responsibility Resilience

INCLUSION

INVOLVEMENT

INTEGRITY

INITIATIVE

INSPIRING

Importance of good attendance

It is important to recognise the link between attendance and achievement. At Hall Meadow Primary School we encourage all children to attend school regularly. Good attendance at school is essential for a pupils' education and establishes a positive working ethos early in life. Pupils learn best when they arrive punctually at School.

Expectations

The Education Act 1996 requires the adult responsible to ensure their child receives efficient full- time education, suitable to their age, ability, aptitude and any other special needs they may have, either by regular attendance at school or otherwise.

Pupils are expected to attend the school for the entire duration of the academic year, unless there is an exceptional reason for the absence. There are two main categories of absence;

1. Authorised absence is where the school has accepted the explanation offered as satisfactory justification for the absence, or given approval in advance for such a request.
2. Unauthorised absence is when the school has not received a reason for absence or has not approved a child's absence from school after a parent's/carer's request. Please be aware that when a parent/carer telephones the school with information that their child is unable to attend due to illness, or other circumstances, this may not be automatically authorised. Your child's current and previous school attendance will be taken into consideration and as a result the absence may not be authorised.

Keeping your child off with minor ailments such as a headache or slight cold is not acceptable. Repeated absences will require us to request that you obtain medical evidence from your doctor's surgery. This may be in the form of a date stamped compliment slip confirming your visit, a text message or prescription or medicine bottle. Any of the above is to be shown to the Office. (Please note that the school is not asking any parent to incur a charge for such information and will not be liable for the cost). If your child has head lice, once they have been treated they can return to school on the same day.

Signing in/out procedure

- Any child arriving at the school after 8.50am must be signed in by their parent or carer at Reception, giving a reason for the late arrival.
- Any child who has to leave school during school hours for a medical appointment or similar reason must have a note requesting this. This should be addressed to the class teacher, who will pass it to the School Office. Parents will be asked to complete a leave of absence form for all appointments.
- Children leaving the school during the school day must be signed out at Reception by their parent or carer.

Attendance Protocol

- Doors to close at 8:50am, any child arriving between 8:50am and 9:15am will be marked as late (L) in the register. The office will record the number of minutes late that they are.
- Children arriving after 9:15am will be marked as a U in the register. The office will record the number of minutes that they arrive at school after 9:15am.
- First response – this needs to be completed by 9:30am with all relevant information added to Arbor so that the FSW can make phone calls/visits as required.

Dental and medical appointments

Parents and carers are asked most earnestly not to arrange dental and medical appointments during school sessions, except in cases of urgency or hospital appointments, so that considerable interference with school work is avoided. Please do not keep children out of school for the whole day unless absolutely necessary.

Pupils are expected to arrive in the school on time.

Registration Procedures

- Registers are taken twice daily, in the morning and in the afternoon, using Arbor.

- The morning register is closed at 8.50am and the afternoon the registers are taken by 1.05pm.
- Any child arriving between 8:50am and 9.15am will be registered as late for that session and recorded on Arbor.
- Any child arriving after 9:15am will be registered as unauthorised.

What happens if pupils are late?

- Pupils who arrive after the doors are locked will need to enter school through the main door.
- If a pupil is persistently late contact will be made with the parents to try to resolve the problem.
- If a pupil arrives in school more than 30 minutes late and there is no acceptable explanation, the pupil has to be recorded as 'unauthorised absent' for that session.

The school will monitor daily attendance and lateness rates and will notify the Family Support Worker if there is cause for concern.

Register Codes

The following codes are applied on the registers:

CODE	Full Name	Description
/	Present (AM)	Present in school during registration
\	Present (PM)	Present in school during registration
B	Educated off site	The student is at an off-site supervised educational activity approved by the school.
C	Other Authorised Absence	Leave of absence for exceptional circumstances
C 1	Other Authorised Absence	Absence for a regulated performance or employment abroad
C2	Other Authorised Absence	Leave of absence for a compulsory school age pupil subject to a part-time timetable
D	Dual registered at another school	The student is registered at another school and attends it during this lesson e.g. students at a pupil referral unit. Schools should only record attendance and absences for sessions the pupil is scheduled to attend at their school.
E	Suspended or permanently excluded	If a student is excluded but still on the admission register, they should be marked E, for up to the sixth consecutive day of any fixed period (referred to as 'suspensions' by the DfE from Autumn 2021) or permanent exclusion.
G	Family Holiday (Not Agreed)	The Holiday was not authorised by the school or in excess of the period determined by the headteacher.
I	Illness	Used for any form of illness
J 1	Interview	Leave of absence for the purpose of attending an interview for employment or for admission to another educational institution

CODE	Full Name	Description
L	Late	Student arrives late before register closed
M	Medical/ dental appointment	Absence due to medical or dental appointments that could not be scheduled outside school hours.
N	No Reason	Reason for absence not provided; if no reason is provided after a reasonable time, it should be changed to O.
O	Unauthorised absence	School is not satisfied with the reason given for absence.
P	Sporting activity approved	Student is participating in a school-approved, supervised sporting activity.
R	Religious observance	Absence for religious observance on a designated day.
T	Traveller Absence	Used when Travellers are travelling for occupational purposes and have agreed this with the school.
U	Late after registration closed	Student arrived after the register closed.
V	Educational trip	Student is on a school-organised residential trip or supervised educational trip.
X	Non-compulsory school age pupil not required to attend school	Not counted in possible attendances
Y 1	Unable to attend	Unable to attend due to transport normally provided not being available.
Y2	Unable to attend	Unable to attend due to widespread disruption to travel
Y3	Unable to attend	Unable to attend due to part of the school premises being closed
Y4	Unable to attend	Unable to attend due to the whole school site being unexpectedly closed
Y5	Unable to attend	Unable to attend as pupil is in criminal justice detention
Y6	Unable to attend	Unable to attend in accordance with public health guidance or law
Y7	Unable to attend	Unable to attend because of any other unavoidable cause
Z	Pupil not on role	Used when setting up registers in advance of pupils joining; schools must take attendance from the student's first scheduled day.
#	School closed to pupils	Used for whole or partial school closures known or planned in advance, such as if the school is used as a polling station.

Coding for attendance: More than 98% - 100% = excellent, 96% - 97% = good, less than 95% more than 90% requires improvement, less than 90% cause for concern

Parents

In this instance, under Section 576 Education Act 1996, a parent/carer is defined as any adult who has day to day care of the child during the period in question.

Under current legislation, parents/carers are legally responsible for ensuring that their child attends school regularly and punctually. Should a child be unable to attend school for whatever reason or is late, parents are requested to notify school by telephone before 9:00a.m. on the first day of absence and on each subsequent day of absence.

The school must consider a pupil's absence or arrival after the registers are closed to be unauthorised until a satisfactory explanation is given by a parent or guardian. Parents should provide an explanation for the absence upon their child's return to school even where school has previously been made aware of the absence.

To help parents monitor their child's attendance and punctuality, attendance rates will be reported at each parents evening and recorded on the child's end of year report. Any concerns with regards to attendance will be spoken about during the two parent's evenings over the year as well as by the Family Support Worker during the year. Parents can also monitor their child's attendance via the Arbor App.

Children Missing from Education Procedures

If a child is absent and initial contacts are not returned, and contact cannot be made with the parent/carer, then the Family Support Worker or a member of staff will visit the home address to establish the safety of the child. If we have not heard from you by 12pm a home visit may be made on the first day of the child's absence.

Letters will be sent to the family and a record will be kept on My Concern. If a pupil does not return to school for ten days after an authorised absence or is absent from school without authorisation for twenty consecutive school days, the pupil can be removed from the admission register when the school and LA have failed to jointly establish the whereabouts of the child.

The Trust recognises the importance of the fact that all children are entitled to full time education which is suitable to their age, ability, aptitude and any special educational needs they may have. A child absent/going missing from an education setting can act as a vital warning sign of a range of safeguarding possibilities.

A child absent/going missing from education, particularly repeatedly, can be a warning sign of a range of safeguarding issues. This might include abuse or neglect, such as sexual abuse or exploitation or child criminal exploitation, or issues such as mental health problems, substance abuse, radicalisation, FGM or forced marriage.

Information taken from the DFE Children Missing Education – Statutory guidance for Local Authorities September 2016.

Leave of Absence (including term time holidays) – see appendix 1

In April 2013, the Government made amendments to the Education (Pupil Registration England) Regulations, these came into effect on 1st September 2013. Headteachers are no longer able to grant leave of absence during term time unless there are 'exceptional circumstances', (for example a family crisis, the funeral of a close relative, an entrance exam or an arts performance.)

Authorisation for term time absence is at the discretion of the Headteacher.

This means that Headteachers are no longer able to authorise holidays taken in term time.

Requests for leave of absence must be put in writing to the Headteacher. A template letter (see Appendix 1) is available from the school office or the school website.

A leave of absence taken without authorisation may be referred to Education Entitlement Service.

This may result in prosecution proceedings, or a Fixed Penalty Notice. If a Fixed Penalty Notice is issued, a separate Fixed Penalty Notice would be issued to each parent for each child. The rate is £80 per parent per child if paid within 21 days and rises to £160 if paid between 21 and 28 days.

If the Fixed Penalty Notice is not paid each parent may be liable to prosecution at the Magistrates Court, and if proved, each Fixed Penalty Notice may receive a criminal conviction, and/or a fine to the maximum of £1000 plus costs.

Fixed Penalty Notices are issued by North Northamptonshire County Council. At Hall Meadow Primary School, we follow the Northamptonshire Code of Conduct and refer parents when a pupil has a minimum of 10 consecutive sessions, or 12 sessions recorded as unauthorised in a 6-week period; an day is two sessions (morning and afternoon). Please see Appendix 2 for further details.

Parents should be aware that if they are issued with 2 penalty notices during a child's school career (from Reception to YR 11) then, should a third offence be prosecuted, it will result in an automatic custodial sentence.

If you take your child out of school for an accumulative total of 5 days or more (10 sessions) (90%) over a period of ten weeks, the school will deem this as irregular attendance and will consider a referral to the Local authority for consideration of legal action. This could include,

- A Penalty Notice payable up to £160 fine.
- Prosecution under s444 (1) Education Act 1996, where if convicted you may be fined up to £1,000.
- Prosecution under s444 (1) (a) Education Act 1996 where if convicted you may be fined up to £2,500 and/or 3 months' imprisonment.

School Systems

Individual attendance levels will be monitored monthly, and steps taken if a child's attendance is below 95%, there has been 10 sessions (5 days) of unauthorised absence in the previous month. The schools reserve the right having reviewed attendance to move to Stage 2 immediately if appropriate.

Stage 1:- If a child's cumulative attendance falls below 95% then the Stage 1 standard letter will be sent to inform parents/carers (see Appendix 3).

Stage 2:- If cumulative attendance remains below 95% for a second month, then the Stage 2 letter (see Appendix 4) will be sent inviting the parents to a 'Parent Contract Meeting' (PCM). Notes to explain the purpose of this meeting will also be sent (see Appendix 5)

A Parent Contract Meeting (PCM) will take place to set targets for attendance and identify any support required. All meeting notes will be recorded on the standard form (see Appendix 6). If parents do not attend the PCM the contract will be implemented without their input. From this point absences will not be authorised without medical evidence.

Stage 3:- If parents/carers fail to demonstrate improvement through engagement with the PCM process then the Stage 3 (see Appendix 7) letter will be sent. Parents may be offered an extension if this is deemed appropriate or they may be invited to implement an EHA with the Family Support Worker. An EHA will be offered for all PCM cases. If it is declined, this will be recorded on the pupil's file and confirmed in writing to the parents. The child's views will be sought.

Stage 4:- If parents/carers continue to fail to demonstrate improvement through engagement with the PCM process then a referral to Education and Inclusion Partnership Team will be made which could result in the Local Authority taking more formal action. This could result in a Police and Criminal Evidence (PACE) interview being held under caution in accordance with the Police and Criminal Evidence Act 1984. You should also be aware that if convicted of

an offence of failing to ensure regular attendance of your child at school under Section 444, 1/1A Education Act 1996, you could be fined up to £1000/£2500 and/or receive a term of imprisonment not exceeding 3 months.

If a child has 5 consecutive days of unauthorised absence and there has been no communication from parents the child will be considered to be missing in education and a referral will be made to the Education and Inclusion Partnership Team (EIPT) and the parent informed in writing (see Appendix 10)

Monitoring

- Individual pupil attendance data will be reported to parents at least annually.
- School attendance data will be monitored monthly including analysis and trends for different groups of pupils.
- Attendance reports will be shared at Full Governor Meetings including the number of children at each stage of the process.

Late Collection

- If children are not collected when school finishes at 3.20pm, then parents will be contacted.
- If this becomes a regular problem the academies Family Support Worker will be informed.
- If a child is collected after 3.30pm, then the child will be placed in wrap around care and a charge may given for this.

Application for leave of absence in term time

Hall Meadow Primary School, the Local Authority and Government believe that absence during term time should be avoided as they can have a damaging effect on pupils' education and overall achievement. However, it can be recognised that there may be exceptional reasons that may justify authorisation of the absence by the Headteacher.

The Education (Pupil Registration) (England) (Amendment) Regulations 2013 explanatory notes states:

Regulation 7 of the 2006 Regulations is amended to prohibit the proprietor of a maintained school granting leave of absence to a pupil except where an application has been made in advance and the proprietor considers that there are exceptional circumstances relating to the application.

As a result of the changes, we at Hall Meadow Primary School, have revised our attendance policy which will include the following:

- Application is to be made in advance by the parent on the form obtained from the school office and the website.
- Leave of absence will only be granted where the Headteacher considers it is due to 'exceptional circumstances'. Parents will be informed within 7 school days as to whether the request has been authorised.

Leave of absence taken without authorisation may be referred to the Education Inclusion and Partnership Team. This may result in prosecution proceedings, or a Fixed Penalty Notice. **See Appendix 3**

Leave of absence taken without authorisation may be referred to the Education Entitlement Service. This may result in prosecution proceedings, or a Fixed Penalty Notice. If a Fixed Penalty Notice is issued, a separate Notice would be issued to each responsible adult for each child.

The rate per parent/carer per child will be £80 if paid within 21 days and rising to £160 if paid between 22 and 28 days. If the penalty notice is not paid, each parent/carer may be liable to prosecution at the Magistrates Court, and if proved, each notice may receive a criminal conviction and/or fine to a maximum of £1000 plus costs.

The DFE's guidelines look at the area of "Special Occasions" and make clear that only truly exceptional occasions should be classified as authorised. This will be decided at the discretion of the Headteacher.

We ask parents to notify the school well in advance (preferably 4 weeks notice) of any proposed special occasion to ascertain whether the school would view the reason for absence as valid or not.

The DFE's guidelines make it plain that, in the final analysis, it is the school that judges whether an absence is authorised or not. A note from home therefore does not automatically make an absence valid/justified/authorised.

Please note headteacher may specify that only one day will be authorised at a time:

Example of 'exceptional circumstances' include:

- Funeral of parent, grandparent or sibling – Headteachers should use their discretion having heard from parents about travel and funeral arrangements and taking into account the distance to be travelled
- Sudden loss of housing through eviction or domestic violence.
- Serious illness of a close relative – only if Headteacher is satisfied that the circumstances are truly exceptional
- Out of school programmes such as music, arts or sport operating at a high standard of achievement
- Religious observance – The Education Act 1996 S444(3) (c), states "on any day exclusively set apart for religious observance by the religious body to which his/her parent belongs". This would include the Islamic Eids, as well as religious observance days of the orthodox Christian, Jewish and other religions.

Examples of circumstances NOT considered as exceptional:

- Holidays abroad for the purpose of visiting a sick relative, excepting where that person is seriously ill. Medical evidence may be requested.
- Pilgrimages by parents (eg. Hajj). These are rare but can result in children being away from school for significant periods of time (at least 5 days). They are not regarded as exceptional as children themselves do not perform Hajj, but tend to travel with their parents when they go.
- Holidays taken in term time due to lower cost/parental work commitment.
- To care for other family members
- Birthdays
- To interpret for other family members
- No school uniform/shoes
- Friendship problems
- Head lice
- Learning difficulties
- Family holiday
- Family Anniversaries
- Death of a pet
- Travel problem



Hall Meadow Primary School

Request for Absence from learning in exceptional circumstances

Holidays cannot be authorised in accordance with Educational regulations

Pupils are only in school for 190 days each year.

There are 175 other days for holidays and other activities

80% attendance represents **1 day off per week.**

90% attendance represents **1 day off per fortnight.**

The Headteacher will not grant any leave of absence (holidays) during term time

How to use this form:

- For all absences from learning other than sickness.
- Return to the school at least two weeks before the date of requested absence.
- Use a separate form for each child and each absence.

Parent/Guardian to complete this section:

Name of child:		Year Group:	
Is this the first request for absence this academic year? Yes / No Current Attendance %			
Date of requested absence		Number of school days requested:	
From:	To:		
Please state the exceptional circumstances for this request:			
Signed:			
Print name:		Date:	

School Office to complete this section:

Last year Attendance =		Green	97% - 100%	Above the national average.
Current Attendance =		Yellow	96% - 96.9%	Just above national average.
		Amber	94% - 95.9%	Below the national average.
		Pink	90% - 93.9%	Below national. At risk of dropping into the Persistent Absent group.
Absence requested on Arbor?	Yes / No	Red	0% - 89.9%	Significantly below the national average. This means being persistently absent from school.

Headteacher to complete this section:

Your request is: Authorised/ Unauthorised	The code placed in the register will be:	For example: Religious (R) Educated off site (B) Other Authorised Circumstances (C) Unauthorised holidays (G) Unauthorised Absence (O)
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Signed: _____ **Date:** _____

Hall Meadow Primary School, the Local Authority and Government believe that absence during term time should be avoided as it can have a damaging effect on pupils' education and overall achievement. As per guidance received from The National Framework for Penalty Notices and North Northants: 'If you take your child out of school for an accumulative total of 5 days or more (10 sessions) (83.33%) over a period of six weeks, the school will deem this as irregular attendance and will consider a referral to the Local authority for consideration of legal action. This could include;

A Penalty Notice payable up to £160 fine without further reference to you for a penalty notice this warning is valid for 12 months.

Prosecution under s444 (1) Education Act 1996, where if convicted you may be fined up to £1,000.

Prosecution under s444 (1) (a) Education Act 1996 where if convicted you may be fined up to £2,500 and/or 3 months' imprisonment."

From August 2024, the fine for school absences across the country will be £160 if paid within 21 days, or £160 if paid within 28 days. This rate is in line with inflation and is the first increase since 2012. In the case of repeated fines, if a parent receives a second fine for the same child within any three-year period, this will be charged at the higher rate of £160.

Fines per parent will be capped to two fines within any three-year period. Once this limit has been reached, other action like a parenting order or prosecution will be considered.

If you're prosecuted and attend court because your child hasn't been attending school, you could get a fine of up to £2,500. Being taken to court could result in you having a criminal record.

School response:

This absence will be **unauthorised / authorised**.

Signed (Headteacher): _____ **Date:** _____

Appendix 2: Northamptonshire Code of Conduct

Code of Conduct Penalty Notices to Address Absences and Poor Attendance at Academy or Alternative Provision

Rationale

1. The purpose of this Code of Conduct is to ensure that the associated powers are applied consistently and fairly across the Local Authority area and that suitable arrangements are in place for the administration of Penalty Notices.
2. Regular and punctual attendance at school, or alternative provision, is both a legal requirement and essential for children and young people to maximise their educational opportunities. Penalty Notices offer a swift intervention which Northamptonshire County Council (NCC) will use to deal with issues of unauthorised absence before they become entrenched.
3. An offence occurs if a parent/carer fails to secure a child's attendance at school, or alternative provision, at which they are a registered pupil and that absence is not authorised by school, or alternative provision.
4. In addition a Penalty Notice can be used to help ensure parents fulfil their responsibilities to ensure their child is not out in a public place without reasonable justification during the first five days of every exclusion from school.

Authorisation

- The primary responsibility for the issuing of Penalty Notices rests with the Local Authority. Educational Inclusion & Partnership Team (EIPT) of NCC will therefore issue Penalty Notices in Northamptonshire. This ensures consistency and will prevent conflict with other enforcement sanctions
- Although professionals other than those within the Local Authority (e.g. Head Teachers, the Police etc.) are accredited persons within the legislation, able to issue Penalty Notices, there is no requirement for them to do so. In Northamptonshire it has been agreed that the Police will not issue Penalty Notices. If a Head Teacher feels it is appropriate for a Penalty Notice to be issued they must refer to the EIPT. This will avoid a Penalty Notice being issued when the EIPT is instigating legal intervention proceedings for irregular school attendance or where a Penalty Notice is not deemed an appropriate form of intervention.
- Penalty Notices will be issued by First Class post to satisfy evidential requirements.
- EIP will act upon requests to issue Penalty Notices from academies, academies, or alternative education providers and Northamptonshire Police, provided that;
 - a) All relevant information is supplied in the specified manner;
 - b) The circumstances of the pupil's absence meets the requirements of this Code of Conduct; and
 - c) The issuing of a Penalty Notice does not conflict with other interventions strategies in place or other enforcement sanctions already in process.

Criteria for Issuing Penalty Notices

1. Penalty Notices are issued to parents as defined under Section 576 of the Education Act 1996, in relation to children of compulsory school age. Under the Act the term "parent" includes;
All natural parents, whether they are married or not;
Any person who, although not a natural parent, has parental responsibility for a child or young person;
Any person although not a natural parent has care of a child or young person. Having care of a child or young person means that a person with whom the child lives and who looks after a child, irrespective of what their relationship is with a child.

2. They may be issued for children at maintained academies, academies, free academies and alternative provision providers in Northamptonshire.
3. In accordance with the definition of parent, and thereby parental responsibility for non-school attendance, more than one person may be liable for the offence. In such circumstances, separate notices will be issued to each person.
4. Penalty Notices may be issued when:
 - There has been an unacceptable level of unauthorised absence from an educational establishment and enforcement is necessary to improve attendance.
 - Unauthorised absence is absence without permission from a Headteacher or other authorised representative from the school. This includes all unexplained or unjustified absences. The categories of authorised and unauthorised absence are explained in the Guidance to the Education (Pupil Registration) (England) Regulations 2006.
 - A minimum of 10 sessions of unauthorised absence in a 6 school week period will usually have occurred. However, a shorter period of time may be considered appropriate in some circumstances.

In the case of a unauthorised holiday taken during term time, if;

- Parents have not sought permission from the Head Teacher before taking their child out of school for a holiday in term time.
- The Head Teacher has refused the request but the absence occurs anyway; or
- A pupil has not returned to school by the agreed date with no satisfactory explanation.
- And there have been 10 sessions of unauthorised absence in a 6 school week period.
- Each case is considered on its own individual merits.
- A pupil is persistently late to school, i.e. arrives after the register has closed;

Under truancy sweeps carried out under Crime and Disorder Act 1998 powers, a minimum of 5 sessions of unauthorised absence may generate a Penalty Notice, if these unauthorised absences occur in the 6 school weeks (maximum) after the child was stopped on a the truancy sweep; and

When an excluded child is present in a public place during school hours on a day which is one of the first 5 school days to which the exclusion relates or, where that exclusion is for a fixed period of 5 days or less, any of the days to which the exclusion relates, under the protocol for Section 103 of the Education and Inspections Act 2006.

Alternative action may need to be considered if school attendance offences re-occur, in the light of advice from Legal Services.

Withdrawal of Penalty Notices

Once issued a Penalty Notice can only be withdrawn in the following circumstance;

- The Penalty Notice has not been issued in accordance with the Code of Conduct.
- Evidence has been established that the Penalty Notice was issued to the wrong person.
- There are material errors in the information leading to the issue of the Penalty Notice.
- The period for payment has expired and the Local Authority does not intend to institute legal proceedings for which the Penalty Notice relates.

Payment of Penalty Notices

The arrangements for the paying of Penalty Notices will be detailed on the Penalty Notice.

Revenue generated from the Penalty Notices will be used to cover the costs of issuing and enforcing notices, or the cost of prosecuting recipients who do not pay.

Non-Payment of Penalty Notices

The Penalty is £80 if paid within 21 days of receipt of the Penalty Notice (assumed as 2 working days following the Notice being sent by first class mail), or £160 if paid after 21 days but within 28 days of receipt of the Penalty Notice.

If the Penalty Notice is not paid in full by the end of the 28 day period, the Local Authority may prosecute for the offence to which the Notice applies. The prosecution relates to irregular school attendance under Section 444 of the Education Act 1996. Where a prosecution is an appropriate course of action a Caution may be offered by the Local Authority as an alternative method of disposal.

If a second penalty notice is issued within 3 years of the first, the second notice is charged at a flat rate of £160 if paid within 28 days.

There is no statutory right of appeal against the issuing of a Penalty Notice.

A record will be kept of all prosecutions relating to offence for which a Penalty Notice was issued.

Legislation

1. Section 23 Anti-Social Behaviour Act 2003 empowers authorised officers of a Local Authority, Head Teachers (and Deputy and Assistant Head Teachers authorised by the Head) and Police Officers (including Community Support Officers) to issue a Penalty Notice in cases of unauthorised absence from school, or alternative provision.
2. The Education (Penalty Notices) (England) Regulations 2004 came into force on 27th February 2004.
3. The Education (Penalty Notices) (England) Regulations 2004 require the Local Authority, in consultation with the above, to develop a code of conduct for issuing of Penalty Notices. Any person issue a Penalty Notice must do so within the terms of this code of conduct (the Code of Conduct”).
4. The Education (Penalty Notices) (England) Regulations 2005 extends the issuing of Penalty Notices to alternative provision.
5. The Education (Penalty Notices) (England) (Amendment) Regulations 2012 confirms the increase in the amount of penalty where the offence are alleged to have been wholly or partly committed after 1st September 2012.
6. Education (Penalty Notices) (England) (Amendment) Regulations 2013 confirm that the penalty of £80 must be paid within 21 days or after that period increase to £160 to be paid within 28 days.
7. The Education (Pupil Registration) (England) (Amendment) Regulations 2013 remove all reference to family holiday and extended leave as well as the statutory threshold of 10 school days. Amendments make clear that Head Teachers may not grant any leave of absence during term time unless there are exceptional circumstances. Head Teachers should determine the number of school days a child can be away from school if the leave is granted.
8. The education provisions of the Anti-Social Behaviour Act 2003 apply to all parents who fall within the definition of parent as set out in Section 576 of the Education Act 1996.
9. Penalty Notices supplement existing sanctions currently available under Section 444 Education Act 1996 or Section 36 Children Act 1989 to enforce attendance at school or alternative provision.
10. Education and Inspections Act 2006; giving authorisation to Penalty Notices when a child has been excluded.
11. This Code of Conduct complies with the requirements set out in Sections 14-16 of the Education (Penalty Notices) (England) Regulations 2007.
12. The issuing of Penalty Notices must conform to all requirements of the Human Rights Act and Equal Opportunities legislation

Appendix 2 contd: Penalty Notices, a guide for parents

Educational Inclusion and Partnership Team A Brief Guide to Penalty Notices

Sections 444 Education Act 1996
Anti-Social Behaviour Act 2003
Crime and Disorder Act 1998

This leaflet offers you a summary about the (PN) scheme and what it could mean for you.

What is a PN?

A Penalty Notice (PN) is an alternative to prosecution and requires the parent(s) to pay a fixed amount as a fine for their child's irregular attendance at school.

It is issued per parent, per child. Please note only a Headteacher can authorise absence from school.

Who issues them?

In Northamptonshire the Local Authority issues them through the Educational Inclusion and Partnerships team.

When are they used?

When a pupil has a minimum of 10 school sessions recorded as unauthorised in a 6- school week period; an school day is two sessions (morning and afternoon)

This includes;

Any absence marked in the register as unauthorised.

Persistent late arrival at school after the register has been taken and is recorded as an unauthorised absence.

An absence in term time which has not been authorised by the Headteacher. The Government has directed that Headteachers may only grant leave in exceptional circumstances.

PNs can also be used during the first 5 days of exclusion. Parents are made aware of the consequences by letter when a child is excluded from school.

Please note

If the school refers a period of absence that is longer than 15 consecutive school days; the Educational and Inclusion Partnership team may consider that a PN is not appropriate.

In these instances, the matter may proceed to a prosecution.

18 Determination about whether it is appropriate to use a penalty notice will be based on the individual circumstances of each case.

If a parent knows that their child is failing to attend school regularly and there is reasonable justification for not ensuring that their child attends, then it is for the parent/carers to prove that reasonable justification.

How much is the PN?

The PN is issued with an invoice for £160 and 28 days are given for you to settle the Penalty. If the PN is paid within the first 21 days, the amount payable is reduced to £80.

If a second penalty notice is issued within 3 years of the first, the second notice is charged at a flat rate of £160 if paid within 28 days.

How do I pay?

The information on how to pay is included on the PN. Payment cannot be made in part or by instalments.

What happens if I don't pay?

If you don't pay within the 28 days, the Local Authority will consider instigating a prosecution in the Magistrates Court for the offence of irregular school attendance. If proven this could result in a criminal conviction, fine of up to £1000 per parent per child and/or a parenting order or a community service order and costs.

Can I appeal?

There is no statutory right of appeal once a PN has been issued.

Can I be prosecuted if I pay the Penalty Notice?

You cannot be prosecuted for the period of absence identified in the Penalty Notice. You may subsequently be prosecuted for further periods of unauthorised absence from school.

Each case is considered on an individual basis

**** REMEMBER ****

Academy staff would much rather work with parents/carers to resolve irregular attendance than resort to enforcement actions like Penalty Notices or Court.

For further information please contact

Educational Inclusion & Partnership Team

[Attendance and behaviour support for parents | North Northamptonshire Council](#)

Appendix 3: Attendance Letter stage 1

Dear Parent/Carer,

(child)'s attendance is ____%. Attendance below 90% is officially classed as persistently absent.

It is important that we make you aware if your child's attendance drops below 95%. We closely monitor our attendance and query if a child's attendance falls below 95%. Parents/ carers should be aware that if their child has 5 days (10 sessions) or more unauthorised absences, within a 10 week period, they may be referred to the local authority for consideration of legal action. This could result in a penalty notice or further action being taken.

Attendance Impact

	Impact over 1 school year	Impact over 5 school years
100% Attendance	0 days missed	0 days missed
95% Attendance	9 days of absence 1 Week and 4 Days of learning lost	$\frac{1}{4}$ year learning lost
90% Attendance	19 Days of Absence 3 Weeks and 4 Days of learning lost	$\frac{1}{2}$ year learning lost
85% Attendance	28 Days of Absence 5 Weeks and 3 Days of learning lost	$\frac{3}{4}$ year learning lost
80% Attendance	38 Days of Absence 7 Weeks and 3 Days of learning lost	1 year learning lost
75% Attendance	47 Days of Absence 9 weeks and 1 day of learning lost	1 $\frac{1}{4}$ years learning lost

If you require any advice or support regarding this matter, please contact me.

Kind regards,

Mrs Ricotta

Wellbeing Lead

Appendix 4: Attendance Letter Stage 2



Dear

On I wrote to you advising that your child's attendance had fallen to %. Unfortunately, there has been no significant improvement in their attendance over the last month and this is continuing to cause concern. A copy of your child's attendance record is enclosed.

I must remind you that regular attendance is a legal requirement and it is important that any issues that may be the cause of this poor attendance are addressed as soon as possible. **Please contact the school office within the next 7 days to arrange an appointment with the School's Family Support Worker (FSW) to discuss 's attendance and put a Parent Contract in place.** I enclose a leaflet outlining the Parent Contract process, please see our Attendance Policy for further details.

We will also discuss the initiation of an Early Help Assessment in order to help with improving 's attendance.

Yours sincerely

Headteacher

Appendix 5: Information for Parents

Parent Contract Meetings

What is a Parenting Contract Meeting and what is it for?

It is a meeting of those involved with your child's school attendance. It will consider why attendance is so low and set targets to effect an improvement.

Why have I received this leaflet?

Because your child's school attendance has fallen below 95% over the last 2 months – the same as missing twenty days over the year. Over the course of a child's education, this would mean missing about 1 1/2 YEARS education.

Who will be at the meeting?

You, your child, depending upon their age, and a senior member of staff from school. You may wish to bring a friend/family member for support. Other professionals involved with the family may also be invited.

What will happen?

You (and your child) will be encouraged to explain why school attendance is so poor. Be honest – the meeting aims to find solutions and to avoid any further action by working together.

How will I know what has been agreed?

You will be asked to sign a written Parenting Contract, stating what action is to be taken, who is to do what and when. There should be actions for all and an attendance target of 95%. You will receive a copy of the agreement which will be reviewed within 5 school weeks.

How many meetings will I have to attend?

The Parenting Contract Meeting may be followed by a further 5 week review if attendance has improved considerably but not reached the agreed target. If attendance targets are not met and there is little improvement we will request the intervention of the Education and Inclusion Partnership Team.

Remember

From the date of the first meeting all absences will be unauthorised unless a medical certificate or other supporting evidence is provided and agreed by the Headteacher.

Useful contact: Northamptonshire Parent Partnership contact@npps.info 01604 363111

Appendix 6: Parenting Contract



PARENTING CONTRACT BETWEEN HALL MEADOW PRIMARY SCHOOL, PARENT(S), AND CHILD:

Pupil: DOB:

Year Group:

Ethnicity:

Address:

Post Code:

Parent/Carer Name: DOB:

Gender:

Ethnicity:

Do you consider yourself to have a disability: YES/NO

If YES please state details:

Parent/Carer Name: DOB:

Gender:

Ethnicity:

Do you consider yourself to have a disability: YES/NO

If YES please state details:

Parent/Carer Name: DOB:

Gender:

Ethnicity:

Do you consider yourself to have a disability: YES/NO

If YES please state details:

Please include all those with parental responsibility including those who have day to day care for the child.

Sibling[s] Names: DOB:

Are there any attendance issues with these children?

Name of Chair of Meeting:



Dear.....

Re:

I am disappointed not to have heard from you following my previous letter dated requesting a meeting to discuss a Parent Contract regarding’s attendance. I am also disappointed that you did not attend the Parent Contract Meeting arranged for..... on

Whilst your involvement in any Parent Contract is voluntary, you should be aware that, should’s attendance remain irregular, the Local Authority may take more formal action. This could result in a Police and Criminal Evidence (PACE) interview being held under caution in accordance with the Police and Criminal Evidence Act 1984. You should also be aware that if convicted of an offence of failing to ensure regular attendance of your child at school under Section 444, 1/1A Education Act 1996, you could be fined up to £1000/£2500 and/or receive a term of imprisonment not exceeding 3 months. I hope that you will work with us to improve your child’s attendance and therefore avoid the need for legal proceedings to be implemented.

To this end I would ask you to contact our Family Support Worker in order to discuss the implementation of an Early Help Assessment within the next 7 days. If we do not hear from you within this time a referral will be made to the Education and Inclusion Partnership Team.

Yours sincerely

Headteacher

Appendix 8: Parenting Contract Review



PARENTING CONTRACT REVIEW

Pupil's Name:

DOB:

Purpose of Original Agreement

To improve the above pupil's school attendance record and avoid legal action being taken by the Authority.

Since the Parenting Contract made on..... in the monitoring period set..... has attended on..... out of a possible..... occasions = %

Therefore, whilst _____'s attendance remains acceptable no court action will be taken against the parents at this time.

Are there any additional issues since the last meeting to be addressed?

Issues Raised (Please detail below)	Yes	No	Issues Raised (Please detail below)	Yes	No
Alleged Bullying			Peer/ Staff relationships		
Medical			Academic		
Home related difficulties			Behaviour/ Attitude		
Transport			Community/ other		

Are there any additional proposed actions?

Signatures: Parent(s) Pupil

Hall Meadow Primary School:

Other:

Date:

Appendix 9: Attendance letter referral to Education and Inclusion Partnership Team



Dear

Re:

DOB:

I am writing to inform you that despite our efforts to support you,.....'s attendance has not improved significantly. We have been monitoring your child's level of attendance since..... During this time you have received numerous communications explaining the importance of improving his/her attendance.

We met on _____ and set up a Parenting Contract which was reviewed on -----.

As there has been little/no improvement in..... 's attendance I am referring your case to the Education and Inclusion Partnership Team. They may take legal action which could include issuing a fixed penalty notice. (PN) If you wish to discuss this matter further, please do not hesitate to contact me.

Yours sincerely

Headteacher

Appendix 10: Attendance letter-12 or more sessions of unauthorised absence



Date:

Dear

Re:

DOB:

I am writing to inform you that I have noted 12 sessions of unauthorised absence within the last six weeks.

Our Attendance Policy details that 'Hall Meadow Primary School, the Local Authority and Government believe that absence during term time should be avoided as they can have a damaging effect on pupils' education and overall achievement'.

The Education (Pupil Registration) (England) (Amendment) Regulations 2013 explanatory notes states: Regulation 7 of the 2006 Regulations is amended to prohibit the proprietor of a maintained academy granting leave of absence to a pupil except where an application has been made in advance and the proprietor considers that there are exceptional circumstances relating to the application.'

In line with Northamptonshire County Council guidance, this unauthorised leave of absence has been referred to the Education Entitlement Service. This may result in prosecution proceedings, or a Fixed Penalty Notice. (PN) If a Fixed Penalty Notice (PN) is issued, a separate Notice would be issued to each parent for each child.

The rate per responsible adult per child will be £80 if paid within 21 days and rising to £160 if paid between 22 and 28 days. If the penalty notice is not paid, each parent may be liable to prosecution at the Magistrates Court, and if proved, each notice may receive a criminal conviction and/or fine to a maximum of £1000 plus costs.

Yours sincerely

Headteacher

Enc NCC Fixed Penalty Notice

NCC Code of Conduct

Appendix 11: Response to request for term time absence



Date:

Dear

Re:

DOB:

Government guidelines prevent Headteachers from granting any leave of absence during term time, unless there are exceptional circumstances. A family holiday during term time does not fall into the category of "exceptional circumstances".

The criteria for issuing Penalty Notices for unauthorised term time absence is 10 sessions (equivalent to 5 school days in a 6 week period)

I understand you have requested a leave of absence between xxxxx and xxxxx which is within the school's term time. This request has been declined by the Headteacher and will be coded as unauthorised.

I will be referring the matter to the Educational Inclusion and Partnership Team for consideration of further action and as such I need to make you aware that the outcome could be a Penalty Notice, payable direct to the Local Authority. The Penalty Notice is £160 per parent/adult for each student to be paid within 28 days, decreasing to £80 if paid within 21 days. If the Penalty Notice is not paid within 28 days, the Local Authority may instigate legal proceedings under section 444 (1) of the Education Act 1996. If found guilty of an offence under this Act, parents will receive a criminal record and could be fined up to £1000.

I realise that the vast majority of parents do not take family holidays in term time as they recognise the significant impact this can have on their child's education. We support the government's stance on trying to reduce the amount of school missed due to holidays and we hope that you will continue to support us by not planning a leave of absence during term time.

Yours sincerely

Head Teacher