ATTENDANCE & PUNCTUALITY POLICY

Reviewed August 2026
Review Sept 2027

This policy will contain within it, the procedures that the school will use to meet its attendance targets.

This policy document on attendance and punctuality has been produced to explain to all concerned (Students, Parent / Carers and our Staff) the rights, responsibilities and rules relating to the attendance and punctuality of students at this school.

Emerson Park Academy values the importance of high attendance and good punctuality at its school and has high expectations for all of its students. It recognises that a high level of attendance and punctuality maximises student educational opportunities and contributes significantly to a students' achievement, progress and overall attainment at school, as well as promoting wellbeing and community cohesion, all valuable attributes for successful working life after leaving school.

We seek to ensure that all our pupils receive a full-time education which they are entitled to, which maximises opportunities for each student to realise their full potential.

Emerson Park Academy is committed to providing a full and inclusive education for every student and embraces the concept of equal opportunities for all.

The school will strive to provide a welcoming, caring environment, whereby each member of the school community feels valued and secure. School staff are committed to working with students and their families to ensure each child attends school regularly and punctually.

The school has established over a long period of time many effective systems, incentives and rewards which aim to acknowledge the efforts of our students to improve their attendance and timekeeping and will also challenge those few families and students who give low priority to attendance and punctuality. Every opportunity will be used to convey to students and their parents / carers the importance of regular and punctual attendance whilst they attend Emerson Park Academy.

Each year the Academy reviews its attendance policy to ensure it remains in line with the latest Government, Department for Education (DfE) and Havering Local Authority guidance. These more detailed document can be found in in the appendices or weblinks of this policy.

At regular intervals throughout the year, we monitor and review our work towards the whole school attendance targets set. Currently we are working towards a Whole School Attendance Target of 96% as we also want to increase the number of students who achieve 100% attendance whilst also reducing our Persistent Absence rates.

School attendance is subject to various educational laws and our school's attendance policy is written to reflect these laws and the guidance produced by the Government, Department for Education and Havering Council.

- Working together to improve school attendance (applies from 19 August 2024) (publishing.service.gov.uk)
- School attendance and absence: Overview - GOV.UK (www.gov.uk)
- Havering School Attendance Policy

Permitting absence from school without good reason is an offence by the parent(s) or carer(s).

Guidance for Parents / Carers

You have a legal responsibility to ensure your child attends school every day. By law, only the school can approve absences not parents. It is for the school to judge whether the explanation given is satisfactory justification for the absence. Parentally condoned unauthorised absence is a serious problem and the school will involve the Educational Welfare Officer (EWO) at an early stage if necessary.

Why must my child attend school regularly?

• A good education will help give your child the best possible start in life. If your child does not attend school regularly, he/she will not be able to keep up with the work and will miss out on other aspects of school life such as friendship groups and life skills
• Employers look for reliability and good school attendance and punctuality is an important indication of this. Children who have not attended their school regularly have less chance of getting a good job
• Young people who are absent from school for no good reason are at risk of becoming victims of crime or abuse. They may also be drawn into anti-social behaviour or criminal activity

What is an authorised absence?

Authorised absence is where the school has either given approval / consent in advance for a student to be out of school, or has accepted an explanation offered afterwards as satisfactory justification for absence or as a result of a serious breach of the school's rules.

Acceptable reasons for absence may include:
• Illness
• Emergency medical / dental appointments
• Family bereavement
• Day of religious observance
• Suspensions results from a decision taken by the school to suspend. The school is responsible for setting work for the students for the first five days.

Please note that all of the above are counted as an absence from school and will reduce a student's overall level of attendance.

Consent in advance for an authorised absence may be also granted by the Head teacher when a student is asked, for instance, to represent a recognised organisation (e.g. Scouts, Cadets etc.) and may be obtained, in advance, from the head teacher following a request in writing.

Excessive amounts of authorised absence can seriously disrupt a student's continuity of learning. Inappropriate use of authorised absences can be as damaging to a child's education as unauthorised absence.

Any pupil with attendance of 90% or below is classed as persistently absent. If a child is attending 90% of the time, they are missing 10% of their education, which is almost a month of lost learning a year. Any pupil with attendance of 50% or below is classed as severely absent and will have missed half of their lessons.

School Procedures

Any student who is absent from school at the morning or afternoon registration period will have their absence recorded as being authorised, unauthorised or as an approved educational activity. The Head Teacher or a member of staff acting on his behalf will authorise absence if appropriate. If there is no known reason for the absence at registration, then the absence will be recorded in the first instance as unauthorised. A range of support for parents / carers will be made available where they (the parent \ carers) are seeking the schools assistance to encourage a child to attend school more regularly. Emerson Park Academy will not ask students to remain at home, other than those that are formally fixed term or permanently suspended, unless there is a serious risk to the student in question or other students in the school. In this case the school will seek advice from their Safeguarding Team and the LA to establish a way forward.

What is an <u>un</u>authorised absence?
Unauthorised absences are those which the school does not consider reasonable and for which no leave has been given. Unacceptable reasons for absence may include:

- Arriving late after the morning register has closed
- Any Parent / Carer condoned absence
- Holidays
- Visiting relatives
- Shopping
- Birthday Trips
- Looking after siblings
- Routine medical/dental appointments (these should be arranged after school or during school holidays.

What steps must I take if my child is absent?

Parents are required to contact the school daily to report an absence, ideally before 8am (Absence line: 01708 463065 or 01708 475285 ext. 267.

Parents should provide the following information:

1. Student's Full Name, Form class including Year Group & House Name (Brunel, Cavell, Hepworth & Redgrave) e.g. Fred Bloggs 7H2
2. Reason for absence – please provide as much detail as possible.

If your child is absent due to illness for four or more days, or if the absence falls immediately before or after a school holiday, you are required to provide medical evidence. However, the school may also request medical evidence for any absence where a pupil is regularly absent due to illness or where there are concerns regarding the authenticity, frequency, or pattern of illness related absences. This evidence may include, but is not limited to, appointment cards, prescriptions, pharmacy receipts, discharge letters or other documentation from a healthcare professional.

If we do not receive an explanation within 5 days, or if the explanation is unsatisfactory, your child's absence will be recorded as unauthorised, and this will be shown on your child's report.

The school operates Groupcall a SMS / text-based system. Groupcall generates a text message to the first named parent of the student informing them if their child does not register for AM registration.

If you receive a Groupcall text we would like you to either reply to the text or call the school on the 01708 475285 ext. 267 to confirm their absence or if you believe they should have registered in school, please call immediately.
Unexplained absences and / or frequent absences can be a serious cause for concern and therefore in terms of the Safeguarding of Children and Young People, any unexplained absences will be a priority for this school.

Why are registers important?

- Registers are legal documents which record whether parents or carers have fulfilled their legal obligations and may be produced as evidence for an offence
- They are our best way to track students on site in cases of emergency (e.g. in the unlikelihood of a fire)
- They assist the Academy in fulfilling its safeguarding duties.

What happens if my child is late?

Ideally your child will be on site no earlier than **8.15am** and arrive no later than **08.35am**. They must be in there from class by **8:40am** for morning registration.

If your child arrives after registration has started, he/she will be marked as late. This will appear as an '**L**' on Go4Schools, which is our main school system for parents to track their child's progress and attendance on line.

- Late marks will be shown on your child's report
- In circumstances such as bad weather or transport difficulties the Academy may keep the register open for a longer period to accommodate this

Any student arriving after the register has closed (**9.10am**) will receive automatically an unauthorised absence mark. This counts as an absence from school and will reduce a child's overall attendance on Go4Schools and their individual records.

Urgent Medical / Dental Appointments & Students Signing Out

Where possible parents should endeavour to make medical appointments outside of school hours. If you require your child to leave school during the day for any reason, then please notify the school in advance of the date, this can be done through our reception staff or a call to the school on 01708 475285.

We require:

- Routine appointments should be taken outside of school hours.
- Requests for authorised medical/dental absences should be made in advance and proof of your child's appointment should be provided and sent via email info@emersonparkacademy.org or attendnace@emersonparkacademy.org or paper copy via our reception.
- To limit the amount of lost learning time, pupils are expected to be absent for the minimal amount of time possible and return to school whenever it is possible to do so.
- Wherever possible appointments should be taken after AM or PM registration so that your child can receive their attendance mark before departing for an appointment.

- Medical absences are recorded as an absence (using the ‘M’ code) from school and will reduce your child’s overall attendance.

Please note – Please remind your child that they must always sign out at the school reception before leaving site and when they return to school after an appointment they must sign back in, again via reception.

Can we take family holidays during term time?

No, family holidays can only be taken during school holiday periods.

Information on the Academies term dates and INSET days and early finishes can be found on our own Academy website. http://www.emersonparkacademy.org/

Since September 1st 2013, following amendments to the Education (Pupil Registration) (England) regulations 2006; head teachers may not grant any leave of absence during term time unless there are exceptional circumstances.

Since the 19th August 2024 The Department for Education (DfE) latest statutory guidance for schools and academies – Working together to Improve Attendance. now applies to all schools, academies and local authorities which means there are from September 2025 stricter rules and higher penalty fines for unauthorised absence / non-attendance in schools.

The information below is a summary of this, for the purpose of this policy. Any updates/changes made to Local Authority policy/procedure supersede the information below.

Penalty notices (PN) may be issued to a parent as an alternative to prosecution for irregular school attendance under s444 of the Education Act 1996. They can only be issued in relation to pupils of compulsory school age. A penalty notice can only be issued by a Havering authorised officer, not by the school.

A parent includes any person who is not a parent but who has parental responsibility for the child or who has care of the child, as set out in section 576 of the Education Act 1996. Penalty notices (PN) will usually be issued to the parent or parents with day to day responsibility for the pupil's attendance or the parent or parents who have allowed the absence (regardless of which parent has applied for a leave of absence).

A penalty notice (PN) can only be issued in cases of unauthorised absence. PNs offer a swift intervention that may be used to combat attendance problems before they become entrenched and where the LA considers that a prosecution would be inappropriate or unwarranted at that time. A PN can be a suitable intervention in circumstances where the parent is judged capable of securing their child's regular attendance but is not willing to take responsibility for doing so, for example where the parent has failed to engage with any voluntary or supportive measures proposed. A PN notice will also be issued for unauthorised term time absence (such as holiday) of 10 sessions, irrespective of the child(ren)s attendance.

As well as issuing a PN for 10 consecutive unauthorised sessions, the National Threshold states that a PN can also be issued for 10 sessions of unauthorised absence (which is 5 school days) within a 10-week rolling period (school time only).

The Attendance Service will be solely responsible for issuing PNs in Havering and will process requests for PNs from schools. Requests will be considered provided that:

- a 'request to the LA Attendance Service to issue a FPN' form is received and fully completed
- the requirements of this Code of Conduct are met

- the issue of a PN does not conflict with other intervention strategies in place or other enforcement sanctions already in process

All penalties will be paid to the LA, not the school, which will retain the revenue to cover the costs of issuing or enforcing notices, or the cost of prosecuting recipients who do not pay. The penalty is £80 if paid within 21 days of receipt of the invoice. If payment is not received the LA within 21 days, the cost of £80 will increase to £160 for a further 7 days. If the penalty remains unpaid prosecution will be considered.

If repeated penalty notices are being issued and are not working to change behaviour, they are unlikely to be the most appropriate tool. The following escalating steps will then apply:

• If a second penalty notice is issued to the same parent for the same child within a rolling 3-year period, it will be charged at a higher rate of £160, with no option for this second offence to be discharged at the lower rate of £80.

• A national limit of 2 penalty notices can be issued to a parent for the same child within a rolling 3-year period, therefore at the 3rd (or subsequent) offence(s), another tool will need to be considered such as prosecution or one of the other attendance legal interventions.

The Havering Code of Conduct (Fixed Penalty Notices) determine that if a child of compulsory school age fails to attend school regularly over a given period, the parent/parents/guardian may be subject to a fixed penalty notice.

A copy of the Havering Code of Conduct can be found at: Truancy fines | The London Borough Of Havering

Please refer to the Havering website for further information:

Further information can also be found in appendix 2 & 3 of this policy regarding guidance issued by the London borough of Havering regarding Penalty Notices which came in to effect from the 1st September 2024.

In appendix 4 the London Borough of Havering have a developed a Q & A document for parents / carers regarding Penalty notices.

Term time leave

Head teachers of schools will consider all term time leave requests. Each request must be considered on its own merit and the impact upon the child's learning and wellbeing must be central to the decision made. However, a Head Teacher may take into account previous leave requests and other factors related to the child when making their decision.

Parents/carers who do not request term time leave and take their child on 'unauthorised leave', or fail to keep the school informed of changed to leave arrangements, may receive a fine, be prosecuted and/or the children may lose their place at their school.

Requesting of term time leave in exceptional circumstances

Under DfE legislation, Head Teachers may not grant any leave of absence during term time unless there are exceptional circumstances. An exceptional circumstance is something that cannot be planned for. Therefore, family holidays, weddings, surprise trips booked by family, birthday celebrations, sports camp etc will not be authorised.

In exceptional circumstances, such as a family bereavement / attendance at an immediate family funeral, dance / music examinations, family members graduation (this is not an exhaustive list) it is expected that children should not be absent from school for an extended period of time and any extended leave of absence should be taken during the school holidays. This may be, for example, up to three days.

Parent/carers will be required to provide evidence to support their written request for exceptional term time leave, which in some instance can be very personal. The submitted information will be handled with care and processed confidentially. Requests for exceptional term time leave must be made at least 14 school days in advance of any arrangements being made. This will allow sufficient time for the request to be considered by the school. The request should be made in writing using the 'Request for Leave' form (Appendix 5) and can be found on the Academy website.

Exceptional term time leave requests must include specific start and end dates, as this will formally constitute the leave period. Where no specific dates are provided, then the request cannot be considered or granted.

Parents/carers who are intending to travel abroad with their children during term time should not book travel prior to securing approval from the school.

Any changes to dates agreed by the school will require a re-submission for authorisation prior to departure.

The Head teacher's decision is final and the Academy will not consider requests for leave made retrospectively.

Family Emergency – where no leave has been requested

There will be some occasions where it has not been possible for the parent/carer to make a request for exceptional term time leave due to unforeseen, unplanned emergencies.

Whilst emergency situations are often difficult, parents/carers are still required to contact the school at the earliest possible opportunity and submit a written request for exceptional term time leave.

Requests can be made on behalf of the parent/carer by contacting the school and will need to be verified by the parent / carer as soon as possible using our 'request for leave form'.

Considering the exceptional time leave request

The Academy will consider all exceptional term time leave requests on their own merit, in accordance with current legislation and guidance. We may seek advice from our Local Authority Educational Welfare Officer (EWO), prior to making a decision, however, the final decision remains with the Head Teacher.
The following factors may also be considered prior to reaching a decision:

- Time of the academic year when the leave has been requested
- Duration of the absence – number of school days being missed
- The child's current attendance and punctuality rate
- Exceptional Term Time leave requested/taken in previous years
- Whether parents/carers have considered limiting the amount of time the child would be absent from school e.g. wrapping around school holidays
- Have alternative care arrangements been considered by the parent/carer to limit the time away from school
- Impact on any interventions, assessments or referrals being undertaken with the child or family e.g. family support, social care assessments, CAMHS, SEN
- The impact that the absence will have on the child

The decision and informing

The school will reach a decision and send a written response within 14 days of the leave request being received.

The decision will result in the term time leave request being either

- Authorised
- Unauthorised
- Part Authorised and Unauthorised.

What steps do I take if my child is avoiding school?

- Contact your son / daughters Head of Year immediately or our Attendance Officer on 01708 475285 ext. 276
- It is important that we identify the reason for your child's absence (such as difficulties with peers, family difficulties, homework or bullying)
- If difficulties cannot be resolved by the school, then we may refer the case to the Havering Educational Welfare Officers (EWO) who work closely with the Academy.
- In some cases, you may find it helpful to contact the Education Welfare Officers (EWO) yourself. Their duty line contact number is 01708 431777

Guidance for Students

Students are responsible for their own punctuality and attendance. We expect our students to aim for 100% attendance and lateness to school and lessons should be rare or non-existent.

Why must I attend school?

• It is a legal requirement to attend school
• To keep up with school work and achieve the best possible results
• Outstanding or good attendance and punctuality demonstrates your resilience and reliability to our staff and ultimately your attendance will be included in any reference for an apprenticeship, sixth form or other college placement and employers.

We also look very carefully at your attendance and punctuality over time for participation on trips and visits, selection for school teams and for students in our upper school (Year 10 & 11) it's a fundamental criterion for becoming a Prefect and or being invited to attend the Year11 Prom.

Punctuality to lessons

It is equally important that you are on time to each lesson. The most important work in a class happens in the first few minutes when previous work is re-visited and your understanding checked or the lesson aims and objectives are explained by your subject teachers.

If you are late to lessons, your subject teacher will impose a sanction in line with our school Behaviour for Learning Policy.

Having problems?

Problems with school work?
Are you being bullied?
Are your friends giving you a hard time?
Are things difficult at home?

You may think that bunking school is the answer but it can make things worse.

TALK TO SOMEONE – your Form Tutor, your Head of Year, the Education Welfare Officer or your parents / carers.

We will do everything we can to help you get over the problem.

Daily expectations for all our students.

Mornings -

- Students should not arrive on site until after **8.15am** (unless they are attending a club supervised by a member of staff) as we do not have qualified first aiders on site until this time.

- Students should not arrive on site any later than **8.35am**.

- In the morning our moving bell for registration will sound at **8:35am**, which is a signal for all our students to make their way quickly to your form classrooms.

- At **8.40am** Form periods starts and any students who arrives after this time will be recorded as late using Attendance Code **'L'** by the Form Tutor.

What will happen if I'm late to school

- Any Student who arrives on site late to school after **8.40am** (when the inner school gate will be closed) **must** report to the Main Office / Reception and sign in giving them your name, your form group and a reason for arriving late.

  You will be coded 'L' by our reception staff until the registers close at **9.10am**

- Any Student who arrives on site after **9:10am** will be marked as absent, which is recorded using absence code '**U**', which is an unauthorised absence.

This is new to our policy following the publication of the DfE's – Working together to improve school attendance statutory guidance that applies to all schools and academies from the 19th August 2024.

Afternoon -

- In the afternoon our moving bell will sound at **2.05pm**, which is a signal for all students to make their way quickly to your afternoon lessons.

- Afternoon registers will be taken at **2.10pm**, by your teaching staff. Any Student who arrives after 2.10pm will be recorded as late using attendance code **'L'** by the Teacher.

Lateness to school and lessons is monitored regularly by staff including our Heads of Year, Form Tutors and our Attendance Officer. Sanctions will be set weekly and this will be in line with our Behaviour for learning policy.

What does the school do to enhance attendance and punctuality?

We are always working towards reducing our unauthorised and authorised absences rates so that we can increase our overall attendance figures. The ultimate aim is to ensure that our whole school attendance figures reach our target set and annually are higher than the National and Havering averages and our Persistent Absence rates are also below both.

To enables us to work towards this we have a number of strategies and initiatives which run throughout the academic year which include;

Attendance Officer:

- The Attendance Officer sends regular communications to all parents/carers to inform them of their child's level of attendance via email using SIMS module called 'In Touch'
- Text messages are used to alert parents of students who do not arrive at school, this is done via GroupCall.
- Our Attendance Officer meets weekly with the Education Welfare Officer (EWO) and particular attention is given to those students who fall into one of the schools identified vulnerable categories and / or who are persistently absent (missing more than 10% of their schooling).
- The Attendance Officer in consultation with Heads of Year, will send letters to parents / carers of students with attendance ranging between 90-95%.
- Attendance Officer in conjunction with our Education Welfare Officer sends letters to parents / carers of students with attendance less than 90%.
- Attendance Officer will produce for all Form Tutors lists of those students who should be awarded PRIDE points (Monthly 96% and above, plus Termly those with 100% attendance).

Heads of Year:

- Heads of Year will be asked by the Attendance Officer (AO) to hold meetings with the parents / carers of any individual student identified by AO / EWO / SLT (Attendance) with poor attendance and or punctuality. These meetings will be monitored by the Attendance Officer and agreed actions from the meetings will be reported back to the SLT (Attendance).
- Heads of Year will ensure that attendance & punctuality is on the Agenda for all Year Group Meetings and will monitor that their Form Tutors are awarding monthly PRIDE points.
- Head of Year will work closely with their individual teams of Form Tutors to tackle issues around attendance and punctuality and sanctions are set and followed through.
- A great deal of work is done during morning form time / assemblies to encourage good attendance and punctuality e.g. at the end of every term Heads of Year will reward those students with 100% attendance with certificates and Trophies are awarded for the Form Group in each Year group with the best Attendance & Punctuality as well as groups of students being invited to attend breakfast on the House events.

Form Tutors:

- Form Tutors will award PRIDE points for those students who have 96% attendance and above in a given month and / or a cumulative attendance of 100% and above for each Term via Go4Schools.
- Form Tutors will set sanctions for those students within their forms that arrive late to school or to lessons as directed by the Head of Year / SLT. Sanctions used may include phone calls home to parents, student being placed on report and after school detentions.

Parents/ Carers:

- Parents/ carers now have 24-hour access to their child's attendance and punctuality via Go4Schools and can monitor in real time attendance to school and lessons.
- It is vital that you share information with the school and in some cases the school Educational Welfare Officers (EWO) which is relevant to your child's non-attendance at school, so that every effort can be made to improve the situation.

Local Authority / Educational Welfare Service:

The Academy uses the Local Authorities Education Welfare Service to support our daily work on improving attendance and punctuality for all. They are committed to the principle that all children have a right to a suitable education and must not be prevented from achieving or fulfilling that entitlement.

- Our Educational Welfare Officer(s) are deployed by the Academy to ensure parents/carers carry out their legal responsibilities with regard to school attendance for their child.
- Our EWO(s) work with us to improve attendance.
- If the school feels there is an attendance or punctuality concern regarding a specific student and the school have been unable to resolve it, the EWO's will write home to remind parents of their legal responsibilities and maybe arrange a home visit, or invite parents to the school to discuss it.
- It may be necessary in some cases for the EWO's to take legal action in conjunction with the Academy against the Parent / Carer. This course of action will only occur if a direct resolution has been unsuccessful. Therefore, it's vital that parents share information with the Academy / EWO's which is pertinent to your child's non-attendance at school, so that every effort can be made to improve the situation.
- If the attendance issue remains unresolved, legal action may be taken
- Havering Education Welfare Officers will conduct regular 'late at the gate' checks to challenge and motivate as appropriate. Parents of those students that are stopped by our Education Welfare Officer(s) will be written to.

Emerson Park Academy	Mr Hope	**Assistant Head Teacher**	01708 475285	attendance@emersonparkacademy.org
	Miss Savage	**Attendance Officer**		
London Borough of Havering	Julie Deacon	**Education Welfare Officer**	01708 431872	Julie.Deacon@havering.gov.uk
	Joanna Moule	**Education Welfare Officer**	01708 434729	Joanna.Mole@havering.gov.uk

Appendix 1

In accordance with the School Attendance (Pupil Registration) (England) Regulations 2024 a pupil should be recorded as present or absent in the Attendance Register.

On each occasion the register is taken the appropriate national attendance and absence code must be entered for every pupil (of both compulsory and non –compulsory school age) whose name is listed in the admissions register at the time (exception boarder).

For full information on code definition see the School Attendance (Pupil Registration) (England) Regulations 2024 and the Statutory Attendance Guidance Working Together to Improve Attendance 2024.

Attendance Coding

Attending the school

Statistically present

Code / \	Present at the school / = morning session \ = afternoon session
Code L	Late arrival before the register is closed

Attending a place other than the school

If in attendance statistically present

Code K	Attending education provision arranged by the local authority
Code V	Attending an educational visit or trip
Code P	Participating in a sporting activity
Code W	Attending work experience
Code B	Attending any other approved **supervised** educational activity
Code D	Dual registered at another school

Absent - leave of absence

Statistically not present

Code C1	Leave of absence for the purpose of participating in a regulated performance or undertaking regulated employment abroad
Code M	Leave of absence for the purpose of attending a medical or dental appointment
Code J1	Leave of absence for the purpose of attending an interview for employment or for admission to another educational institution
Code S	Leave of absence for the purpose of studying for a public examination
Code X	Non-compulsory school age pupil not required to attend school
Code C2	Leave of absence for a compulsory school age pupil subject to a part- time timetable
Code C	Leave of absence for exceptional circumstance

Absent - other authorised reasons

Statistically not present

Code T	Parent travelling for occupational purposes
Code R	Religious observance
Code I	Illness (not medical or dental appointment)
Code E	Suspended or permanently excluded and no alternative provision made

Absent - unable to attend school because of unavoidable cause

Statistically not present

Code Q	Unable to attend the school because of a lack of access arrangements
Code Y1	Unable to attend due to transport normally provided not being available
Code Y2	Unable to attend due to widespread disruption to travel
Code Y3	Unable to attend due to part of the school premises being closed
Code Y4	Unable to attend due to the whole school site being unexpectedly closed
Code Y5	Unable to attend as pupil is in criminal justice detention
Code Y6	Unable to attend in accordance with public health guidance or law
Code Y7	Unable to attend because of any other unavoidable cause

Absent - unauthorised absence

Statistically not present

Code G	Holiday not granted by the school
Code N	Reason for absence not yet established
Code O	Absent in other or unknown circumstances
Code U	Arrived in school after registration closed

Administrative codes

Not collected

Code Z	Prospective pupil not on admission register
Code #	Planned whole school closure

Appendix 2

Havering
LONDON BOROUGH

June 2024

Dear Parent / Guardians

Changes to Penalty Fines for Unauthorised Absence

I hope this message finds you well.

We are writing to inform you of recent changes made by the government regarding penalty fines for unauthorised absence / non-attendance in schools, and to emphasise the crucial importance of regular school attendance for your child's academic success, overall development and wellbeing.

The government has taken a proactive step to reinforce the significance of consistent attendance, by implementing stricter and higher penalties as part of their commitment to improving educational outcomes for all students during their educational journey.

Academic Progress

Regular attendance allows students to keep up with their lessons, participate in discussions, and complete assignments on time which is essential for their academic progress and success.

Social and Emotional Development

Schools provide structured environments where students learn social skills, build friendships, develop emotional resilience, all of which are crucial for their overall development.

Prepare for the Future

Regular attendance creates habits of responsibility and discipline that are invaluable as student's transition into higher education or the workforce.

Legal Obligations

Parents/Guardians have a legal obligation to ensure their child/ children attends school regularly and arrives on time for their lessons. All Schools must follow the National Guidance in regards to unauthorised absences.

We understand that various factors may occasionally impact your child's ability to attend school, such as illness or family emergencies and in such cases please communicate with your child's school promptly to allow for them to provide appropriate support and guidance

Fixed penalty fines effective 01 September 2024 will be issued per parent per child.

- **1st Offence**
  £80 fine – will be issued and would need to paid within 21 days

  If payment not received within 21 days, the fine will increase to £160 and must be paid within 7 days. Failure to pay the fine of £160 will result in prosecution in the magistrates' court.

- ### 2nd Offence within 3 years
  £160 fine – will be issued and would need to be paid within 21 days. Failure to pay the fine of £160 within 21 days will result in prosecution in the magistrates' court.

- ### 3rd Offence within 3 years
  Where a family is identified to be fined on a 3rd occasion within a 3-year period, these cases will be referred straight to the magistrates' court for prosecution.

Cross Borough Checks

In cases where your child has moved between local authority areas the authority for that area will be contacted to check whether a penalty notice / prosecution has been actioned.

Co-parenting

A penalty notice can be issued to each parent or guardian liable for the attendance offence. This means if a child is residing with a parent and is taken on unauthorised leave with another parent or guardian, both would be issued with a penalty notice fine regardless of which parent has applied for a leave of absence.

National Threshold

If the local authority believes a penalty notice would be appropriate in an individual case, they retain the discretion to issue one before the threshold is met.

We encourage you to partner with us in fostering a positive attitude towards education and reinforcing the value of regular attendance with your child. Together, we can create an environment where every student has an opportunity to thrive academically and personally.

Should you have any questions or concerns around attendance please speak with your child's school attendance officer.

Yours Sincerely,



Mr Trevor Cook

Assistant Director Education Services

Appendix 3

Penalty Notice Code of Conduct 2024/2025 for all Havering Schools & Academies

This policy reflects the Local Authorities responsibility for safeguarding and promoting the welfare of children and their educational attainment and achievement

Issue Date: 01 August 2024

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Version Control

Changes	Page
2024/2025 - Complete review to comply with new DfE Working Together to Improve Attendance Statutory Guidance (August 2024)	All pages

Introduction

Education (Penalty Notices) (England) (Amendment) Regulations 2024, which came into effect on 19th August 2024, set out the framework for the issuing of penalty notices. The Regulations require each Local Authority (LA) to draw up a Local Code of Conduct which sets out measures to ensure consistency in the issuing of penalty notices. This code of conduct should be read in conjunction with the following:

- Section 444 of the 1996 Education Act
  www.legislation.gov.uk/ukpga/1996/56/section/444
- Section 103 of the Education and Inspection Act 2006
  Education and Inspections Act 2006 (legislation.gov.uk)

Purpose

The purpose of this local code of conduct is to ensure that penalty notices for school absence are issued in a manner that is fair and consistent across The London Borough of Havering.

The code sets out the arrangements for administering penalty notices in Havering, and must be adhered to by anyone issuing a penalty notice for school absence in this area. The code complies with relevant regulations and the Department for Education's national framework for penalty notices as set out in the 'Working together to improve school attendance' guidance.

Consultation

This code has been drawn up in consultation with the headteachers and governing bodies of Havering Schools / Academies and the Local Police force

4 Legal Basis

1.1 Penalty notices may be issued to a parent as an alternative to prosecution for irregular school attendance under s444 of the Education Act 1996. They can only be issued in relation to pupils of compulsory school age in maintained schools, pupil referral units, academy schools, AP academies, and certain off-site places as set out in section 444A(1)(b).

1.2 The Education (Penalty Notices) (England) Regulations 2007 (and subsequent amendments) set out how penalty notices for school absence must be used.

1.3 A penalty notice can only be issued by a Havering authorised officer.

1.4 The national framework for penalty notices is published in statutory guidance 'Working together to improve school attendance'. It provides further national guidance on the operation of penalty notice schemes for school absence in England.

1.5 A parent includes any person who is not a parent but who has parental responsibility for the child or who has care of the child, as set out in section 576 of the Education Act 1996. Penalty notices will usually be issued to the parent or parents with day to day responsibility for the pupil's attendance or the parent or parents who have allowed the absence (regardless of which parent has applied for a leave of absence).

1.6 Where difficulties arise with school attendance, professionals should take a 'support first' approach in line with the DfE's 'Working together to improve school attendance' guidance, only resorting to legal enforcement when necessary. The aim is that the need for legal enforcement is reduced by taking a supportive approach to tackle the barriers to attendance and intervening early before absence becomes entrenched.

1.7 The national framework for penalty notices is based on the principles that penalty notices should only be used in cases where:

- support is not appropriate (e.g. a term time holiday) or where support has been provided and not engaged with or not worked, and
- they are the most appropriate tool to change parental behaviour and improve attendance for that particular family.

5 Circumstances where a Penalty Notice may be issued

1.8 The key consideration in deciding whether to issue a Penalty Notice (PN) is whether it can be effective in helping to get the pupil back into school.

1.9 A penalty notice can only be issued in cases of unauthorised absence.

1.10 PNs offer a swift intervention that may be used to combat attendance problems before they become entrenched and where the LA considers that a prosecution would be inappropriate or unwarranted at that time. A PN can be a suitable intervention in circumstances where the parent is judged capable of securing their child's regular attendance but is not willing to take responsibility for doing so, for example where the parent has failed to engage with any voluntary or supportive measures proposed.

1.11 The normal response to a first offence should be a warning rather than a penalty. However, authorised officers have the power to issue a PN for a first offence in exceptional circumstances. This could be where the unauthorised absence was for an extended period and condoned by the parent (for example where the parent has taken their child on holiday during term time without authorisation).

1.12 The National Threshold that a PN can be issued is **10 sessions of unauthorised absence** which is 5 school days within a 10 week period (school time only).

1.13 A PN may be issued as an early alternative to prosecution or other forms of intervention as follows depending on the individual circumstances:

- A requirement that when the national threshold is met, schools make an assessment on a case-by-case basis whether a penalty notice can and should be issued. The following should be considered:
    A. if support or further support is appropriate instead, and
    B. whether there is a different tool or legal intervention that is more likely to improve attendance in this particular case.
- A Notice to Improve will be issued where support is appropriate but not working or being engaged with, to give a parent a final opportunity to engage in support before they are issued with a penalty notice if it is appropriate in the individual case. The Notice to Improve can be issued by the school / academy or the Local Authority.
- The parent has received a Notice to Improve of the possibility of a PN being issued and given a minimum of 15 school days to affect an improvement.
- Where a pupil is found in a public place, in school hours without reasonable justification during the first 5 days of a fixed term or permanent exclusion.

1.14 In addition, in the following exceptional circumstances, a PN may be issued without formal written notification to the parent depending on the individual circumstances:

- where a parent has taken the pupil on holiday during term-time without the school's authorisation or (in cases where the school has authorised absence for a holiday) has failed to return the pupil to school on the date agreed with the school
- As is currently the case for prosecutions, the LA Attendance Service will determine whether

a PN should be issued following discussion with the school (or other agency) and upon receipt of a completed referral form.

6 Process for issuing PNs

1.15 The Attendance Service will be solely responsible for issuing PNs in Havering and will process requests for PNs from schools. Requests will be considered provided that:

- a 'request to the LA Attendance Service to issue an FPN' form is received and fully completed
- the requirements of this Code of Conduct are met
- the issue of a PN does not conflict with other intervention strategies in place or other enforcement sanctions already in process

1.16 The Attendance Service will respond to all requests within 10 school days and, provided the criteria in paragraphs 5-5.7 above are met, will Issue a PN by post if the required improvement has not been achieved.

7 Serving of Penalty Notices

1.1 A notice may be served by:

- Giving it to the recipient; or
- Leaving it at the recipient's usual or last-known address; or
- Sending it to the recipient at that address by post.

NB: service by post shall be deemed to have been effected, unless the contrary is proved, on the second working day after posting the notice by post.

8 Withdrawal of Penalty Notices

1.2 Under the Regulations, parents have no right of appeal against the issue of a PN.

1.3 The Regulations limit the circumstances in which an LA can withdraw a PN to the following:

- Where the notice ought not to have been issued; or
- Where the notice ought not to have been issued to the person named as the recipient; or
- Where the penalty has not been paid in full before the expiry of the period for payment but it is not appropriate to prosecute the recipient for the offence in connection with which the notice was issued.

1.4 Where a PN has been withdrawn in accordance with the above, notice of the withdrawal will be given to the recipient by the Attendance Service. Except where the PN is withdrawn under (c) above, any amount paid by way of penalty in pursuance of that notice will be repaid to the person who paid it; and no proceedings will be continued or instituted against the recipient for the offence in connection with which the withdrawn notice was issued or for an offence under S.444(1A) of the Education Act 1996 arising out of the same circumstances.

1.5 The Attendance Service will determine whether a PN should be withdrawn or whether a prosecution of the parent(s) should be instituted.

9 Maximum Number of Penalty Notices to be issued within 3 years

If repeated penalty notices are being issued and are not working to change behaviour, they are unlikely to be the most appropriate tool.

2. A national limit of 2 penalty notices can be issued to a parent for the same child within a rolling 3-year period, therefore at the 3rd (or subsequent) offence(s), another tool will need to be considered (such as prosecution or one of the other attendance legal interventions).
3. If a second penalty notice is issued to the same parent for the same child within a rolling 3-year period, it will be charged at a higher rate of £160, with no option for this second offence to be discharged at the lower rate of £80.

10 Payment and collection of fines

All penalties will be paid to the LA which will retain the revenue to cover the costs of issuing or the LA within 21 days, the cost of **£80 will increase to £160 for a further 7 days**. If the penalty remains unpaid prosecution will be considered.

3.1 Second penalty notice issued to the same parent for the same child within a rolling 3- year period being charged at a higher rate of **£160** with no option for this second offence to be paid at the lower rate of **£80**.

11 Prosecution for non-payment of fines

3.2 The parent cannot be prosecuted for the particular offence for which the notice was issued until after the final deadline for payment has passed 28 days after receipt of the invoice (see 10.1 above) and cannot be convicted of that offence if they pay a penalty in accordance with the notice.

3.3 If the penalty is not paid in full by the end of the 28-day period, the LA must either:

- Prosecute for the offence to which the notice applies; or
- Withdraw the notice (can only be done in limited circumstances – (see 8-8.6 above).
- Prosecute at the 3rd (or subsequent) offence(s)

NB: Unlike other penalty notice schemes the prosecution is not for non-payment. If there is a prosecution it will follow the usual procedures of a prosecution for irregular attendance. Prosecutions will be brought by the LA under section 444 of the Education Act 1996. In the case of a penalty notice for exclusions, the prosecution will be brought by the LA under Section 103 of the Education and Inspection Act 2006.

11 Arrangements for co-ordination between Havering LA and cross border LA's

a. The Regulations state that the penalty shall be paid (and any correspondence about the notice sent) to the LA in whose area is the school at which the recipient's child is a registered pupil. However, most attendance follow-up is carried out by the LA for the pupil's home address except where cross-border arrangements exist, 'Home' LAs requiring penalty notices to be issued should contact the 'school' LA.

b. Where pupils move between local authority areas, the Attendance Service can be contacted on crossborder.penaltynotice@**havering**.gov.uk to find out if penalty notices have been issued previously.

Appendix 4

Havering
LONDON BOROUGH

Schools Admission, Attendance & Inclusion Team
Q & A ……Education Penalty Notices

I am not the child's biological parent and I don't have parental responsibility for the child. Can I be issued with a Penalty Notice?

Yes.

Under section 576 of the Education Act 1996 (EA 1996), a "parent" in relation to a child or young person is defined as either:

• The biological parents of a child, whether they are married or not and/or

• Any person, who has regular care of a child or young person even if they are not the biological parent or don't legally hold parental responsibility for the child or children in question.

Penalty notices can be issued to a child/young person's parents, step parents and/or any adult residing in the family home that has day to day care of the child/young person.

Penalty notices are issued to each parent/carer for each child who had an unauthorised absence from school. This means that each responsible "parent" may receive a penalty notice for each child included in the request.

Who Issues the Penalty Notice?

Penalty Notices are issued by London Borough of Havering at the request of a named referrer. In most cases the referrer is the School/Academy where the child/young person is on roll.

Can I request the withdrawal of penalty notice?

No. As the person receiving the Penalty Notice you cannot request a withdrawal of the fine. Your child's school could request that the local authority withdraw a fine but there are specific criteria which must be met first.

Can I appeal against the Penalty Notice?

There is no appeal process once a penalty notice has been issued.

If you disagree with the reason(s) you have been issued with a penalty notice fine you should contact the school or academy directly to discuss the circumstances of your child's absence so that the Headteacher can consider whether the reason is exceptional and the absence should have been authorised.

The Penalty Notice Process will continue unless a request is made to the local authority by the named referrer to consider withdrawing

Published August 2024

directed by the DfE (Department of Education) Guidance.

Part payments or instalments are not accepted. Payments must be made in full by the deadline stated on the penalty notice documents otherwise you may be liable for prosecution at court.

If I disagree with the absence being marked as unauthorised, who can I discuss this with?

The statutory guidance clearly states that it is solely the decision of the Headteacher at your child/young person's school/academy as to whether the absence is authorised and for how long.

Where an absence is unauthorised by a school, the Headteacher then makes the request to the Local Authority to issue the parents/carers with a penalty notice fine. They make this request because they have decided that based on the information provided to them by the pupil's parents / carers, they do not believe the reason for the absence is exceptional or the absence exceeded the amount of time the Headteacher has permitted the pupil to be absent from school.

The Local Authority is unable to adjudicate on decisions made by individual Headteachers or change the authorisation of any absences from school. This would undermine the authority of the Headteacher of your child's school.

The Pupil Registration (England) Regulations only allow the Local Authority to withdraw fines in very specific circumstances. For example, if the register was found to have been marked incorrectly or a fine was issued to the wrong person.

The pupil registration regulations prevent Headteachers from agreeing a leave of absence in term time unless they determine that the reason for the absence is exceptional.

Penalty Notices are issued for unauthorised absences only. If you believe that the absence within the time-period should be authorised because you believe the reason for the absence was exceptional you should contact the School/Academy directly and discuss the matter with the headteacher.

My child's attendance is normally very good. I think it is unfair that I have been issued with a fine because I took them out of school to go on a family holiday.

The Pupil Registration (England) Regulations were changed in 2024. Headteachers cannot agree a leave of absence in term time for the purpose of a family holiday.

Therefore, if you take your child out of school without authorisation from the Headteacher for a leave of absence (holiday) in term time you can be liable for a fine even if your child's attendance is not otherwise causing concern for the school.

Following the Supreme court judgement in 2017, this is not a defence you can use if you are issued with a penalty notice fine or should you be prosecuted at court.

Contact Information

Please send any queries to:

EWS@havering.gov.uk

Tel: 01708 431777

Appendix 5

Emerson Park Academy

Request for Leave in Exceptional Circumstances

Name of Pupil…… Date:……

Form:

Absence Dates: From…… To:……

Further to your recent request for leave, I regret to inform you that with effect from September 2008, any holidays taken during term time will be classified as unauthorised. However, exceptional circumstances will be considered.

This decision has been approved by our board of governors.

Please state below why you are unable to make arrangements for this absence to coincide with the 13 weeks annual holiday granted to all pupils.

Name of Parent…… Signed……

Office Use:

Approved ☐

Unauthorised ☐