

*St. Anne's Catholic Primary School*



*'Christ's Light Shines Through Our Learning'*

# Attendance Policy 2023-2025

Regular and punctual school attendance is important. Pupils need to attend school regularly if they are to take full advantage of the educational opportunities available to them by law. St Anne's School fully recognises its responsibilities to ensure pupils are in school and on time, therefore having access to learning for the maximum number of days and hours.

Our policy applies to all children registered at St Anne's Catholic Primary School and this policy is made available to all parents/carers of pupils who are registered at our school on our school website or from the school office.

This policy has been written to adhere to the relevant Children Acts, Education Acts, Regulations and Guidance from the Welsh Assembly, in addition to guidance from the Local Authority.

Although parents/carers have the legal responsibility for ensuring their child's good attendance, the Headteacher and Governors in our school work together with other professionals and agencies to ensure that all pupils are encouraged and supported to develop good attendance. Procedures in this policy are followed to ensure this happens.

Children who are persistently late or absent soon fall behind with their learning. Children, who are absent from school frequently develop large gaps in their learning which will impact on their progress and their ability to meet age related learning expectations.

### **Aims and Objectives**

This attendance policy ensures that all staff and governors in our school are fully aware of and clear about the actions necessary to promote good attendance.

Through this Policy we aim to:

- Improve pupils' achievement by ensuring high levels of attendance and punctuality.
- Achieve a minimum of 95% attendance for all children, apart from those with chronic health issues.
- Create an ethos in which good attendance and punctuality are

recognised as the norm and seen to be valued by the school.

- Raise awareness of parents, carers and pupils of the importance of uninterrupted attendance and punctuality at every stage of a child's education.
- Ensure that our policy applies to Nursery and Reception aged children in order to promote good habits at an early age.
- Work in partnership with pupils, parents, staff and the Education Social Service so that all pupils realise their potential, unhindered by unnecessary absence.
- Promote a positive and welcoming atmosphere in which pupils feel safe, secure, and valued, and encourage in pupils a sense of their own responsibility.
- Establish a pattern of monitoring attendance and ensure consistency in recognising achievement and dealing with difficulties.
- Recognise the key role of all staff, but especially class teachers, in promoting good attendance.

We maintain and promote good attendance and punctuality through:

- Raising awareness of attendance and punctuality issues among all staff, parents and pupils.
- Ensuring that parents have an understanding of the responsibility placed on them for making sure their child attends regularly and punctually.
- Equipping children with the life skills needed to take responsibility for good school attendance and punctuality appropriate to the child's age and development.
- Maintaining effective means of communication with parents, pupils, staff and governors on school attendance matters.
- Developing and implementing procedures for identifying, reporting and reviewing cases of poor attendance and persistent lateness.
- Supporting pupils who have been experiencing any difficulties at home or at school which are preventing good attendance.
- Developing and implementing procedures to follow up non-attendance at school.

## **Definitions**

### **Authorised absence**

An absence is classified as authorised when a child has been away from school for a legitimate reason and the school has received notification from a parent or carer. For example, if a child has been unwell and the parent telephones the school to explain the absence. Only the school can make an absence authorised. Parents do not have this authority.

### **Unauthorised absence**

An absence is classified as unauthorised when a child is away from school without the permission of the school. Therefore, the absence is unauthorised if a child is away from school without good reason, even with the support of a parent.

## **Procedures**

Our school will undertake to follow the following procedures to support good attendance:

- To maintain appropriate registration processes.
- To maintain appropriate attendance data.
- To communicate clearly the attendance procedures and expectations to all staff, governors, parents and pupils.
- To have consistent and systematic daily records which give detail of any absence and lateness.
- To follow up absences and persistent lateness if parents/carers have not communicated with the school.
- To inform parents/carers what constitutes authorised and unauthorised absence.
- To strongly discourage unnecessary absence through holidays taken during term time.
- To work with parents to improve individual pupils attendance and punctuality
- To refer to the Educational Social Worker any child whose attendance causes concern and where parents/carers have not responded to school initiatives to improve.
- To report attendance statistics to Wrexham LA and the WG where requested.
- All staff should be aware that they must raise any attendance or

punctuality concerns to the Headteacher.

## **Responsibilities**

All members of school staff have a responsibility for identifying trends in attendance and punctuality. The following includes a more specific list of the kinds of responsibilities which individuals might have.

### **Class teacher**

Class teachers are responsible for:

- Keeping an overview of class and individual attendance looking particularly for either poor overall attendance, anomalies in patterns of attendance and/ or unusual explanations for attendance offered by children and their parents/ carers
- Informing the Headteacher, Deputy or KS 2 Leader where there are concerns and acting upon them
- Providing background information to support referrals
- Monitoring follow-up once actions have been taken to correct attendance concerns
- Emphasising with their class the importance of good attendance and promptness
- Following up absences with immediate requests for explanation which should be noted inside the register
- Discussing attendance issues at parents evenings.

### **Headteacher**

The Headteacher is responsible for:

- Overall monitoring of school attendance
- Trends in authorised and unauthorised absence
- Contacting families where concerns are raised about absence including arranging meetings to discuss attendance issues
- Monitoring individual attendance where concerns have been raised
- Making referrals to the ESW
- Providing reports and background information to inform discussion with the school's ESW
- Liaising with other professionals to determine potential sources of difficulties and reasons for absence.

## **Administration staff**

Staff in the School Office are responsible for:

- Collating and recording registration and attendance information.
- Taking and recording messages from parents regarding absence
- Ensuring the Late Book is completed
- Contacting parents of absent children where no contact has been made.
- Recording details of children who arrive late or go home
- Keeping an overview of class and individual attendance looking particularly for either poor overall attendance, anomalies in patterns of attendance and/ or unusual explanations for attendance offered by children and their parents/ carers and reporting concerns to the Headteacher
- Sending out standard letters regarding attendance

## **Parents**

Parents/Carers are responsible for:

- Ensuring that their child attends school regularly and punctually unless prevented from doing so by illness or attendance at a medical appointment.
- Contacting the school office on the first morning of absence.
- Informing the school in advance of any medical appointments in school time. For the absence to be recorded as a medical absence we do require evidence from the doctor or dentist. (Appointment card/letter)
- Making requests for authorised absence in term time, only if
  - absolutely necessary as these are not automatically authorised.
- Talking to the school as soon as possible about any child's
  - reluctance to come to school so that problems can be quickly identified and dealt with.

## **Registration**

Each class teacher has the responsibility for keeping an accurate record of attendance on the SIMS system. Any pupil who is absent must be recorded at the beginning of the morning and afternoon session. The attendance register must be completed by the class teacher

All attendance records are documented using SIMs software, which is supported by the Local Authority. Attendance registers are legal documents and these must be kept secure and preserved for a period of three years after the date they were last used.

## **Lateness**

Once the doors are closed at 9.00am the only way to get into school is via the school office. Any pupil who comes into school this way from 9.00am will be marked as late in the attendance record. Records are kept of those pupils who are late this is documented on the electronic register for each pupil (Attendance code L). Any child who arrives for school later than 9.30 will be marked as having an unauthorised absence for the morning. (Attendance code U).

Children who have attended a dentist or doctor's appointment and subsequently come to school later than 9.20am will have the absence recorded as a medical absence (Attendance code M).

Children who are persistently late miss a significant amount of learning, often the most important aspect, as the beginning of the day is where the teacher explains the learning and what each child is expected to achieve.

Where there have been persistent incidents of lateness parents/carers will receive a letter advising them of the concerns and the school will provide opportunities for parents/carers to seek support and advice to address these issues.

## **ABSENCES**

Parents/carers should contact the school on the first day of their child's absence, preferably before 9am. When parents/carers notify us of their child's absence it is important that they provide us with details of the reason for their absence.

All absences are recorded as either authorised or unauthorised absences on the computer. It is important that we receive accurate information from parents with reasons for the child's absence. This information is used to determine whether the absence is authorised or unauthorised. The Headteacher has the responsibility to determine whether absences are authorised or unauthorised.

Where we have not received reasons for a child's absence then we send a letter requesting these details to parents/carers to complete. If this letter is not completed and returned by the specified date then the absence will be recorded as an unauthorised absence.

## **First Day Contact**

Where a child is absent from school and we have not received any verbal or written communication from the parent, then we initiate a first day contact process. SLT/Secretary check all of the registers from 9 30am on a daily basis, to identify those pupils who are absent. There are occasions when we are unaware why the child is absent and we will contact the parent to check the reasons for the child's absence.

## **Illness**

When children have an illness that means they will be away from school long term, the school will do all it can to send material home, so that they can keep up with their school work.

If the absence is likely to continue for an extended period, or be a repetitive absence, the school will contact the support services to see if arrangements can be made for the child to be given some home tuition outside school.

Where over the course of an academic year, a child has repeated periods of illness, the school will write to parents to ask them to provide medical evidence for each future period of illness related absence. This evidence could be a Doctor's note, appointment card or copy of a prescription. We may seek written permission from you for the school to make their own enquiries.

## **Parental Request for Absence from School for Holiday**

With effect from September 2013 the government abolished the right of headteachers to authorise absence specifically for holidays of up to 10 days per year if special circumstances exist. Instead, headteachers will only be allowed to grant leave of absence for any reason if they are satisfied exceptional circumstances exist.

## **Addressing Attendance Concerns**

The school expects attendance of at least 95%.

It is important for children to establish good attendance habits early on in their primary school career. It is the responsibility of the Headteacher and the governors to support good attendance and to identify and address attendance concerns promptly. In primary school we rely upon parents to ensure their child attends school regularly and punctually and therefore

where there are concerns regarding attendance parents are always informed of our concerns. Initially concerns about attendance are raised with parents via letters which are sent home. There will be opportunities for the parent/carer to discuss reasons for absence and support to be given by the school with the aim to improve attendance. Where a child's attendance record does not improve over a period of time then the school has a responsibility to make a referral to the Educational Social Worker (ESW).

The ESW will issue penalty notices to parents where there has been a referral to ESW from the school as part of the school's processes to address poor attendance patterns.

The ESW visits once a month to check and monitor attendance. She carries out regular register checks to identify children with low attendance (usually below 85%). She works with the school to improve attendance and may issue fixed penalty notices (see attached document) if attendance support meetings held by the school do not improve attendance.

### **Monitoring Attendance**

Our secretary has the responsibility for ensuring that all of the attendance data is accurately recorded on the SIMs attendance software. Regular meetings are held with the Headteacher to discuss all attendance concerns and appropriate actions are taken following these meetings such as letters sent to parents or meetings arranged to discuss attendance concerns with parents.

**WREXHAM COUNTY BOROUGH COUNCIL**  
**CHILDREN & YOUNG PEOPLE SERVICE**  
**LIFELONG LEARNING**

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**LOCAL CODE OF CONDUCT**  
**FIXED PENALTY NOTICES FOR NON-ATTENDANCE AT SCHOOL**

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**Date of issue:.....**

**Review date:.....**

**This publication is available in Welsh on request.  
Mae'r cyhoeddiad hwn ar gael yn Gymraeg ar gais.**

## 1. Introduction

This code of conduct will regulate Wrexham County Borough Council's approach to the issuing of Fixed Penalty Notices to parents who fail to ensure that their children attend school regularly.

In drafting this code, regard has been had to relevant education legislation, but in particular to:-

- The relevant provisions of the Education Act 1996;
- The Education (Penalty Notices) (Wales) Regulations 2013; and
- The Welsh Government's "Guidance on penalty notices for regular non-attendance at school" issued in September 2013 (document no: 116/2013).

## 2. Legal basis and rationale

Regular and punctual attendance of pupils at school is both a legal requirement and essential for pupils to maximise the educational opportunities available to them. Evidence shows that children with poor attendance are unlikely to succeed academically and they are more likely to not be in education, employment or training (also known as "NEET"). Young people who are NEET are likely to have a history of non-attendance and persistent absences in school years 10 and 11.

Section 7 of the Education Act 1996 (hereafter "the 1996 Act") places a legal duty on parents to ensure their child receives appropriate education. The term "parent" includes a person who is not a biological parent of a child but has parental responsibility, or a person who has care of a child.

Targeted intervention plays a vital role in resolving issues of poor school attendance. However, where this fails to have the desired effect, there are a number of sanctions available to local authorities to try to secure improvements.

Under section 444(1) of the 1996 Act, it is a criminal offence (of which the parent will be guilty) for a child to fail to attend his school regularly. Furthermore, section 444(1A) provides a separate offence where a parent fails to ensure that their child attends school regularly. Prosecutions under section 444 are brought by the local authority ("LA").

As an alternative to prosecution, sections 444A and 444B of the 1996 Act provide that certain cases of unauthorised absence can be dealt with by way of a penalty notice. A penalty notice is a fine of up to £120 and may be issued to a parent/carer as a result of a child's regular non-attendance at school.

The issuing of penalty notices must conform to all requirements of the Human Rights Act 1998 and equal opportunities legislation.

Wrexham County Borough Council ("WCBC") has the prime responsibility for developing the protocol within which all partners named in the Education (Penalty Notices) (Wales) Regulations 2013 will operate and WCBC's Education Social Work Service ("ESWS") will deliver this LA responsibility.

WCBC will continue to investigate cases of irregular attendance from school and following appropriate casework, instigate legal action if appropriate. However, penalty notices offer a means of swift intervention which WCBC will use to deal with issues of regular non-attendance before they become entrenched.

The issuing of penalty notices will be based on clear threshold criteria which will need to be applied consistently and equitably across WCBC. Any person authorised to issue a notice in WCBC must comply with the guidance set out in this code of conduct.

Parents/carers and pupils are supported at school and LA level to overcome barriers to regular attendance through a wide range of assessment and intervention strategies. Sanctions of any nature are for use only where parental cooperation in this process is either absent or deemed insufficient to resolve the presenting problem.

This sanction is a means of enforcing attendance where there is a reasonable expectation that its use will secure an improvement.

Officers, schools and other bodies should always bear the relevant legal provisions (see Appendix 3) in mind when dealing with penalty notices.

### **3. Legal practicalities**

A penalty notice is £60 if paid within 28 days of receipt of the notice, rising to £120 if paid after 28 days but within 42 days of receipt. If the penalty is not paid in full by the end of the 42 days the LA must either prosecute for the offence or withdraw the notice.

This prosecution is for the offence of failing to secure attendance at school and not for non-payment of the fine. It is brought under section 444 of the 1996 Act.

Withdrawal of the notice can only take place in very limited circumstances as set out in this code of conduct.

### **4. Who can issue a penalty notice**

A penalty notice may only be issued by designated ESWs officers at WCBC (as agreed with schools and the police). This arrangement will ensure:

- consistent delivery;
- relationships between schools and parents/carers are maintained;
- coordination with other enforcement sanctions; and
- coordination between agencies.

An authorised officer has discretion when deciding whether to issue a penalty notice to one or more parents/carers of a child. The specific circumstances in each individual case will be the determining factor.

### **5. Circumstances for issuing a penalty notice**

A penalty notice can only be issued in cases of unauthorised absence, where there has been a failure to secure regular attendance

Penalty notices may only be considered appropriate in the following circumstances:

- At least 10 sessions (5 school days) are lost due to unauthorised absence during the current term. These need not be consecutive;
- Unauthorised absences of at least 10 sessions (5 school days) as a result of holidays taken in term time or delayed return from extended holidays<sup>1</sup>;
- Persistent lateness (after the register has closed and an unauthorised absence is created). “Persistent” in this case means at least 10 sessions of late arrival in one term; and
- Any other cases which would constitute truancy.

Use of penalty notices will be restricted to three notices per parent of a pupil in a 12 month period. Penalty notices may be issued in respect of more than one child in cases where there is more than one poorly attending pupil in a family. A parent will generally receive a warning letter prior to the issue of a notice, unless the circumstances justify a notice to be issued without a warning. Where a warning letter has not led to an improvement, a notice may be issued immediately in respect of the offence in question, unless WCBC believe that it would be suitable in the circumstances to issue a second warning letter to resolve the problem.

Penalty notices will not be issued in respect of Looked After Children (“LAC”) who are subject to on-going LA intervention.

## **6. Procedure for issuing a Fixed Penalty Notice**

Schools, the police and neighbouring LAs are able to request the issue of a notice.

Penalty notices will only be issued by post and, if sent out by first class post, will be deemed to have been received by the relevant parent 2 working days after posting of the notice.

WCBC will respond to all requests to issue a penalty notice within 10 school days of receipt and only where all relevant information has been supplied. Details of relevant information are provided at Annex A to this code of conduct. Relevant forms which will need to be provided to WCBC are included in Annexes B – E.

When considering whether to issue a penalty notice, designated ESWS officers should take account of the following factors:-

- The level of absence;
- Any equalities considerations relating to the child or family (as listed in WCBC’s Equality Policy);
- Any known additional learning needs the child may have;
- Any statement of Special Educational Needs;
- History of the attendance and action taken;
- Statutory defences which may be available to any prospective prosecution;
- Relevant Welsh Government guidance;
- Likely effectiveness of Fixed Penalty Notice as a tool for obtaining compliance;

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<sup>1</sup> For clarity this criterion applies only where the holiday has not been approved under the Education (Pupil Registration) (Wales) Regulations 2010

- Level of parent engagement/cooperation;
- Any substantial adverse effect a fine will have on the welfare of the family.

## **7. Payment of penalty notice**

Arrangements for payment will be detailed on the penalty notice.

Payment of the notice discharges the parent's/carer's liability for the period in question and they cannot be subsequently prosecuted under other enforcement powers for the period covered by the notice.

WCBC retains any revenue from any penalty notice to cover enforcement costs. It is unlikely that revenue will be greater than enforcement costs. However, any surplus must be surrendered to the Welsh Consolidated Fund.

## **8. Non-payment of penalty notice**

Non-payment of a penalty notice will trigger prosecution procedures brought under section 444 of the Education Act 1996.

## **9. Withdrawal of a penalty notice**

There is no statutory right of appeal against issuing of a penalty notice. However, a person on whom a penalty notice has been served may object to the notice by way of a complaint to WCBC.

Once issued a penalty notice may only be withdrawn by WCBC where:

- The penalty notice was issued to the wrong person;
- The notice ought not to have been issued, i.e. where it has been issued outside the terms of this code of conduct or no offence has been committed; or
- The notice contains material errors.

Where a penalty notice has been withdrawn in accordance with the above, a notice of the withdrawal shall be given to the recipient and any amount paid by way of penalty in pursuance of that notice shall be repaid to the person who paid it. No proceedings shall be continued or instituted against the recipient for the offence in connection with which the withdrawn notice was issued or for an offence under section 444(1A) of the Education Act 1996 arising out of the same circumstances.

## **10. Policy and publicity**

All school attendance policies should include information on issuing penalty notices. This should be brought to the attention of parents/carers.

## **11. Annual review and reporting**

WCBC will monitor the use of penalty notices as part of the quality assurance process. Annual reports will be made available to the Head of Service, Head of Lifelong Learning, Scrutiny Committee and the Welsh Government.

This code of conduct will be reviewed every 2 years and may be amended depending on the outcome of the previous year's operation.

## **12. Equalities and Welsh Language**

The issuing of Fixed Penalty Notices must comply with other related legislation and regulations, in order to ensure that they are used in a fair and consistent manner and have paid due regard to the circumstances of the child/children and families involved. These include, but are not limited to the following:-

- Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011
- Welsh Language (Wales) Measure 2011
- Human Rights Act 1998

The Council's Equalities Policy covers the full range of issues that may need to be considered, depending on the individual case.

## **13. How to get further information**

Further information on the operation of this code of conduct and penalty notices within WCBC is available from:

ESW Team Manager  
Lifelong Learning Department  
Wrexham County Borough Council  
Lampit Street  
Wrexham  
LL11 1AR



## **APPENDIX 3 – Relevant legislation**

The following statutory provisions relate to Fixed Penalty Notices and should be considered when requesting and processing penalty notices:-

### **Children Act 1989**

Section 3 - Meaning of “parental responsibility”

### **Education Act 1996**

Section 3 – Definition of pupil, etc

Section 7 – Duty of parents to secure education of children of compulsory school age

Section 8 – Compulsory school age

Section 444 – Offence: failure to secure regular attendance at school of a registered pupil

Section 444ZA – Application of section 444 to alternative educational provision

Section 444A – Penalty notice in respect of failure to secure regular attendance at school of registered pupil

Section 444B – Penalty notices: supplemental provisions

Section 576 – Meaning of ‘parent’

### **The Education (Penalty Notices) (Wales) Regulations 2013**

These regulations deal exclusively with the practicalities of the penalty notices regime and need to be considered in their entirety.

As WCBC is a Welsh Local Authority, the Welsh Government’s “Guidance on penalty notices for regular non-attendance at school”, issued in September 2013 (document no: 116/2013) must also be considered in dealing with penalty notices.