

ATTENDANCE POLICY

Date: September 2025

Date for review: September 2026



St Day and Carharrack Community School

*We are the **CHANGE-MAKERS** of OUR WORLD!*

OUR VISION

ENJOYING, ENGAGING, EXCELLING

Happy, healthy children, **enjoying** learning for life - surrounded by kind, respectful relationships and **engaging** in rich learning experiences. **Together** we will enable and encourage **ALL** our children to discover their unique gifts of character, talents and abilities. Our children will enthusiastically contribute to society, **excelling** in all they choose to do. They will communicate confidently, listen openly, think critically and question respectfully – our children will be the responsible **Change-Makers of Our World**.

OUR SCHOOL AIMS:

live our vision and values through our behaviours It starts with every one of us!

People – placing kindness at the centre of our community to grow healthy, trusting, listening relationships to enable everyone to be responsible, respectful, self-sufficient, valuable members of our local, national and global communities

Place - creating a safe learning environment both in and out of the classroom where children's voices are heard, the bravery, risk-taking and uniqueness of everyone is encouraged and celebrated - to grow our 'CHANGE –MAKERS'

Purpose - living our values of **ENJOYMENT**, **ENGAGEMENT** and **EXCELLENCE** to deliver high quality, inclusive education in order that all learners achieve and exceed their personal best – to **be brilliant**

LIVING OUR VALUES:

ENJOYMENT

Laughing

Loving

Learning

ENGAGEMENT

Communicating

Collaborating

Contributing

EXCELLENCE

Be your best

Be even better

Be brilliant

Chair of Governors: Andrew McFarland

Signed:

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Introduction, aims and why regular attendance is important

St Day and Carharrack Primary School is committed to providing an education of the highest quality for all children. A key element of this is ensuring a child's attendance at school. Good attendance is essential for pupils to get the most out of their school experience, including their attainment, wellbeing, and wider life chances. We believe that attendance should not be considered in isolation. It is part of the bigger picture and is intertwined with the whole ethos and culture of the school. Improving attendance is linked to curriculum, behaviour, special educational needs support, pastoral and mental health and wellbeing. At the heart of what we do is helping children to feel that they belong in school, through helping them to feel safe, welcome, celebrated and championed. In each school we want to provide an inclusive, calm, orderly, safe, and supportive environment where all pupils are keen and ready to learn.

Improving attendance is everyone's business. The barriers to accessing education are wide and complex, both within and beyond the school gates, and are often specific to individual pupils and families. We recognise the importance of working in partnership with families to find supportive routes to improve attendance. Our school has an attendance champion who leads on attendance, but attendance involves all staff, governance and families. Everyone has an important role to play.

It is very important, therefore, that parents/carers make sure that their child(ren) attends school regularly, and this policy sets out how together we will achieve this. Our school is committed to meeting our obligations with regards to school attendance by:

- Promoting good attendance and reducing absence, including persistent absence
- Ensuring every pupil has access to the full-time education to which they are entitled
- Acting early to address patterns of absence

For a child to reach their full educational achievement, a high level of school attendance is essential throughout the whole of their academic career. It is essential for children to attend school regularly in order to maximise the opportunities available to them. We will work towards a goal of 100% attendance for all of our children.

We will support parents to fulfill their legal duty to ensure their children of compulsory school age attend regularly and will promote and support punctuality in attending school.

Regular attendance is important because it affects learning. Any absence affects the pattern of a child's schooling and regular absence will seriously affect their learning. Pupils' absence disrupts teaching routines and will inevitably cause gaps in learning and limit progress.

Ensuring a child's regular attendance at school is the parents'/carers' legal responsibility and permitting absence from school without a good reason creates an offence in law and may result in prosecution.

Failing to attend school on a regular basis is considered a safeguarding matter. Safeguarding the interests of each child is everyone's responsibility and within the context of this school, we will adhere to:

- Protecting children from maltreatment whether that is within or outside the home,

including online.

- Preventing impairment of children’s mental and physical health or development.
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care.
- Promoting the upbringing of children with their birth parents, or otherwise their family network through a kinship care arrangement, whenever possible and where this is in the best interests of the children
- Taking action to enable all children to have the best outcomes in line with the outcomes set out in the Children’s Social Care National Framework

(Working Together to Safeguard Children, 2023)

However, we do accept that illness is inevitable on some occasions.

Every opportunity will be used to convey to children and their parents/carers the importance of regular and punctual attendance. Our attendance targets are for all children to achieve above 96% with attendance over 97% seen as excellent attendance. A level of attendance under 95% is not considered to be regular attendance with any child who has attendance under 90% classified as a “persistent absentee” (PA). Where a child’s attendance falls below 95%, their attendance record is reviewed and action may be taken including referral to the Local Authority’s Education Welfare Service, contact home by a member of staff, invitation to parents to attend an attendance clinic, or request for medical evidence. These actions will be considered for all children and activated where necessary to help and support the child and their family to improve attendance at school.

2. Legislation and Guidance

Regular and punctual attendance of students at school is, under Section 7 of the Education Act 1996. The law entitles every child of compulsory school age to an efficient, full-time education suitable to their age, aptitude, and any special educational need they may have. It is the legal responsibility of every parent to make sure their child receives that education either by attendance at a school or by education otherwise than at a school. Where parents decide to have their child registered at school, they have an additional legal duty to ensure their child attends that school regularly. This means their child must attend every day that the school is open, except in a small number of allowable circumstances such as being too ill to attend or being given permission for an absence in advance from the school.

This policy meets the requirements of the updated [Working Together to Improve School Attendance](#) which became statutory in August 2024 from the Department for Education (DfE), and refers to the DfE’s statutory guidance on [school attendance parental responsibility measures](#). These documents are drawn from the following legislation setting out the legal powers and duties that govern school attendance:

- Part 6 of [The Education Act 1996](#)
- Part 3 of [The Education Act 2002](#)
- Part 7 of [The Education and Inspections Act 2006](#)
- [The Education \(Pupil Registration\) \(England\) Regulations 2006](#) (and [2010](#), [2011](#), [2013](#), [2016](#) amendments)

- [The Education \(Penalty Notices\) \(England\) \(Amendment\) Regulations 2013](#)

This policy also refers to the DfE's guidance on the [school census](#), which explains the persistent absence threshold.

All schools make the necessary statutory data returns to the local authority and Secretary of State.

3. Roles and Responsibilities

3.1 Governance

The Governors are responsible for:

- Recognising the importance of school attendance and promoting it across the School's ethos and policies.
- Ensuring leaders fulfil expectations and statutory duties.
- Regularly reviewing Trust attendance data, discussing, and challenging trends
- Appointing a governor attendance lead who helps focus improvement efforts on the individual pupils or cohorts who need it most, supporting the Headteacher to adopt effective practice on attendance management and improvement.
- Monitoring attendance figures for the whole school, on at least a termly basis.
- Ensuring school staff receive adequate training on attendance.

3.2 The Headteacher

The Headteacher is responsible for:

- Making sure all teaching and non-teaching staff know the importance of good attendance, are consistent in their communication with pupils and parents, and receive the training and professional development they need.
- Implementation of this policy at the school
- Establishing and maintaining an effective culture of attendance
- Whole school absence data and reporting it to governors
- Supervising staff with monitoring the attendance of individual pupils
- Providing evidence for prosecution to Cornwall Council
- Providing evidence for fixed-penalty notices to Cornwall Council
- Monitoring of attendance data across the school and at an individual pupil level
- Working with education welfare officers to reduce absence across the whole school population
- Ensuring the correct use of the school system used to record and monitor attendance
- Agreeing any part-time timetables within the school

3.3 The Attendance Champion is responsible for attendance

Please note the headteacher may undertake this role or some of these tasks may be delegated to a Designated Attendance Support Officer or administrator.

The Attendance Champion is responsible for:

- Setting a clear vision for improving and maintaining good attendance
- Maintaining effective systems for tackling absence

- Having a strong grasp of absence data at the school and individual pupil level and benchmarking attendance data to identify areas of focus for improvement
 - Reporting concerns about attendance to the headteacher
 - Working with external agencies including education welfare officers to tackle persistent absence
 - Arranging calls and meetings with parents to discuss attendance issues
- Advising the Senior Leadership Team when pupil absence crosses thresholds that require action (eg. Advising the Headteacher when to issue fixed-penalty notices)
 - Regularly monitoring and evaluating progress, including the efficacy of the school's strategies and processes
 - Providing regular attendance reports to school staff and reporting concerns about attendance to the designated senior leader responsible for attendance and the Headteacher

3.4 Class Teachers

Class teachers are responsible for taking the class register twice a day and submitting this information to the school office. The register is taken electronically using SIMS – Class teachers positively promote good attendance and alert SLT to any concerns they have or any patterns they notice in regard to attendance.

3.5 School Office Staff/Designated Attendance Support Officer

Designated staff are expected to take calls from parents about absence and record any explanations provided on the school system.

Any unexplained absences are promptly followed up by the designated office staff with a telephone call home to the parents/carers to ascertain the reason for the non-attendance.

3.6 Parents/Carers

Parents/carers are expected to:

- Make sure their child attends every session on time
- Call the school to report their child's absence before 8.30am on the day of the absence (and each subsequent day of absence unless a doctor's note has been provided), and advise when they are expected to return
- Provide the school with at least 2 emergency contact numbers for their child
- Ensure that, where possible, appointments for their child are made outside of the school day

Who is considered a parent in education law?

'Parent' as set out in Section 576 of the Education Act 1996, defines parent to include: natural parents, whether they are married or not; any person or body who has parental responsibility for a child (as defined by the Children Act 1989) and; any person who, although not a natural parent, has care of a child. Having care of a child means a person with whom a child lives and who looks after a child, irrespective of what their relationship is with said child.

4. Recording Attendance

The school's admission register and daily attendance registers are kept in accordance with the [School Attendance \(Pupil Registration\) \(England\) Regulations 2024](#)

4.1 Attendance Register

We keep an attendance register using SIMS and place all pupils onto this register.

The register is an accurate reflection of a pupil's attendance and a legal document which may be used as evidence in court. The decision on whether to authorise an absence rests with the Headteacher. A staff member takes the attendance register at the start of each morning session of each school day and once during each afternoon session. On each occasion they record whether each registered pupil is physically present in school or, if not, the reason they are not in school by using the appropriate national attendance and absence codes from regulation 10 of the School Attendance Regulations 2024. See appendix 1 for the DfE attendance codes.

The office staff will make any notes on the register with details of the reason for the absence.

At School, pupils must arrive in school from 8.30am – 8.45am on each school day.

The register for the first session will be taken at 8:45am and will be kept open until 8.50 am. The register for the second session will be taken at 1.00pm or 1.15pm.

4.2 Lateness and Punctuality

A pupil who arrives late:

- Before the register has closed will be marked as late, using the appropriate code
- After the register has closed, children will be marked as unauthorised late, using the appropriate code. This means that children arriving after this time will receive a mark that shows them to be on-site, but this will not count as a present mark. It will mean that they have an unauthorised absence unless the explanation for the late arrival is accepted by the Headteacher, in which case they will be marked as late using the appropriate code.

If a child has a persistent late record, the parent will be asked to meet with a member of the school staff to resolve the problem. Parents are encouraged to approach the school if they are having problems getting their child to school. If the school and parents, working together, are unable to resolve any ongoing lateness issues, the school reserves the right to bring forward the close of the register. This means that the child's lateness will be recorded as unauthorised, which could result in the Education Welfare Service considering enforcement proceedings against the parent. The school will inform the parent in writing should this action be necessary.

5. Understanding Types of Absence

Every half-day absence from school has to be classified by the school (not by the parents), as either AUTHORISED or UNAUTHORISED. This is why information about the cause of any absence is always required.

Authorised absences are mornings or afternoons away from school for an unavoidable reason like illness/medical appointments which unavoidably fall in school time, emergencies, or other unavoidable cause. However, the school encourages parents to make medical and dental appointments out of school hours where possible. Where this is not possible, the pupil should be out of school for the minimum amount of time necessary.

Unauthorised absences are those which the school does not consider reasonable and for which no "leave" has been given. This type of absence can lead to the Local Authority using sanctions and/or

legal proceedings. Examples of this type of absence include:

- Parents/carers keeping children off school unnecessarily
- Truancy before or during the school day
- Absences which have never been properly explained or where supporting evidence has not been received
- Children who arrive at school too late to get a mark
- Shopping, looking after other children or birthdays
- Day trips and holidays in term time.

The parents of any pupil who has attendance below 93% may be asked to provide medical evidence.

Any problems with regular attendance are best sorted out between the school, the parents, and the child. Some children may be reluctant or anxious about attending school. It is important that parents are open with the school about reasons for absence.

Many children will experience normal but difficult emotions that make them nervous about attending school, such as worries about friendships, schoolwork, examinations or variable moods. It is important to note that these pupils are still expected to attend school regularly - in many instances, attendance at school may serve to help with the underlying issue as being away from school might exacerbate it, and a prolonged period of absence may heighten anxious feelings about attending in future.

5.1 Following up Absence

If any child we expect to attend school does not attend, or stops attending, the school will:

- Follow up on their absence with their parent/carer to ascertain the reason
- Ensure schools safeguarding protocol and process is followed
- Identify whether the absence is authorised or not
- Identify the correct attendance code to use
- Telephone all contacts on the first day of absence to follow up on unexplained absence.

5.2 Reporting to Parents

Attendance is reported to parents every term. Parents may request attendance figures for their child from the office.

Letters are sent out regularly to parents/carers of children whose attendance is a concern. For those parents/carers of persistent absentees or children who are at risk of persistent absence a letter is sent home giving them a visual comparison between their child and their peers to help them understand the impact of the absence.

Please note: a pupil is classified as a 'persistent absentee' when they miss 10% or more schooling across the school year for whatever reason. Absence at this level is doing considerable damage to any child's educational prospects and we need parents' fullest support and co-operation to tackle this. We monitor all absence thoroughly. PA pupils are tracked and monitored carefully. The school looks at ways to support the family with improving attendance and may involve the education welfare officer as needed.

5.3 Legal Sanctions

There is a National Framework for issuing penalty notices that reflects changes to the law introduced through the Education (Penalty Notices) (England) (Amendment) Regulations 2024.

Where a child is absent from school without authorisation, the parent(s) will be committing an offence under the Education Act 1996. Schools must consider on a case-by-case basis whether to ask the local authority to issue a penalty notice to a parent when their child's absence is recorded as unauthorised after 10 school sessions within any 10-school week period. This will typically equate to 5 days of unauthorised absence from school. A school week is a week in which the school meets at least once.

Penalty Notices are issued per liable parent, per child and each carry a fine of £80 if paid within 21 days or £160 if paid after this but within 28 days. Failure to pay the Penalty Notice may result in legal action.

Within the law there is an escalation process for repeat cases where any second attendance related penalty notice issued to the same parent in respect of the same child within 3 years of the first is charged at a flat rate of £160. A third penalty notice cannot be issued within 3 years of the first, and prosecution or other attendance intervention should be considered instead.

Absence not authorised by the school may result in a prosecution in the Magistrates' Court under Section 444(1) or Section 444(1A) of the Education Act 1996, leading to a fine of up to £2,500 and/or a custodial sentence. Cornwall Council may also apply for the costs incurred in taking the matter to Court. Schools will collaborate with the Education Welfare Officer who will oversee this process on behalf of school.

5.4 Leave of Absence in Term-time

All schools can grant a leave of absence when a pupil needs to be absent from school with permission. All schools are expected to restrict leaves of absence to the specific circumstances set out in regulation 11 of the School Attendance (Pupil Registration) (England) Regulations 2024. These circumstances are:

- **Taking part in a regulated performance or employment abroad:** in line with a licence issued by a local authority or Justice of the Peace or a body of persons approval (BOPA). (For full details please see code C1)
- **Attending an interview:** for entry into another educational institution or for future employment where requested in advance by a parent the pupil normally lives with.
- **A temporary, time-limited part-time timetable:** where the pupil is of compulsory school age, both the parent who the pupil normally lives with and school agree the pupil should temporarily be educated on a part-time basis for exceptional reasons and have agreed the times and dates when the pupil will be expected to attend school as part of that timetable.

Exceptional circumstances

All schools can grant a leave of absence for other exceptional circumstances at their discretion. All applications should be made in writing to the Headteacher at least 15 school days prior to the requested leave date. Schools are then expected to consider each application individually taking into account the specific facts and circumstances and relevant background context behind the request. If a leave of absence is granted, it is for the school to determine the length of the time the pupil can be away from school.

The DfE does not allow leave of absence to be granted for a pupil to take part in protest activity

during school hours.

The DfE does not consider a need or desire for a holiday or other absence for the purpose of leisure and recreation to be an exceptional circumstance. Taking holidays in term time will affect a child's schooling as much as any other absence and parents are expected to help schools by not taking children away in term time. Any savings parents think they may make by taking a holiday in school time are offset by the cost to a child's education. The Headteacher, Lead Governor and Education Welfare Officer work together to ensure consistency and fair implementation of the policy across the School. Where the decision is made not to authorise leave in term time, school will inform parent/carers in writing.

On any occasion that school refuses a request for leave in term time, should a parent/carer proceed with the leave it will be recorded as code (G) (family holiday not agreed or in excess of agreement), on the school's register. Where a leave of absence has been unauthorised, penalty notices will be considered in line with Cornwall Council's Code of Conduct for issuing Penalty Notices in respect of unauthorised absence or children present in a public place whilst excluded from school. 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. Please, see legal sanction section above.

6. Pupils with Ongoing Medical Conditions

Parents/Carers should inform the school of any medical conditions that could impact on Attendance and Wellbeing. A Healthcare Plan should be agreed with Health Services on how to ensure the pupil is able to access their full potential and attend school.

In some cases, a child can be educated at home whereby the school environment is detrimental to either condition or causes a risk (of infection etc.) to said pupil.

Pupils should not be penalised if their absence from school is related to their medical condition, such as attending hospital appointments. To avoid being fined for non-attendance, parents must obtain permission from the school in advance of the appointment, so that the absence can be treated as authorised. An absence can also be authorised if the child is too ill to attend school and the school is notified of that as soon as possible.

A school should not encourage non-attendance, such as sending a pupil with medical conditions home frequently or preventing a pupil from staying for normal school activities, including lunch. This will only be justified if it is in accordance with the pupil's individual healthcare plan and is necessary. If a child is regularly sent home at lunch or placed on a part-time timetable which has not been fully agreed to, these absences may amount to unofficial exclusions.

The Equality Act 2010 states that the school's governing body must make reasonable adjustments to ensure that children and young people with disability are not put at a substantial disadvantage compared to other students. Therefore, some pupils may be exempt from the consequences of poor

attendance due to their medical conditions, but only if their poor attendance is supported with medical evidence from medical practitioners.

The Children and Families Act 2014 includes a duty on schools to support children with medical conditions. This is inclusive of children with conditions such as diabetes. Schools must make arrangements for supporting pupils with medical conditions and in meeting that duty they must have regard to the statutory guidance issued by the Secretary of State.

7. Strategies for Promoting Attendance

Helping to create a pattern of regular attendance is everybody's responsibility - parents, pupils and all members of school staff. We will provide parents with details on attendance through regular correspondence and remind parents about the importance of good attendance on the newsletter. Schools talk to the children about the importance of good attendance and meet to discuss attendance issues with families, offering relevant support when needed.

St Day and Carharrack Primary School follows the government guidance:

Expect Aspire to high standards of attendance from all pupils

Monitor Rigorously use attendance data to identify patterns

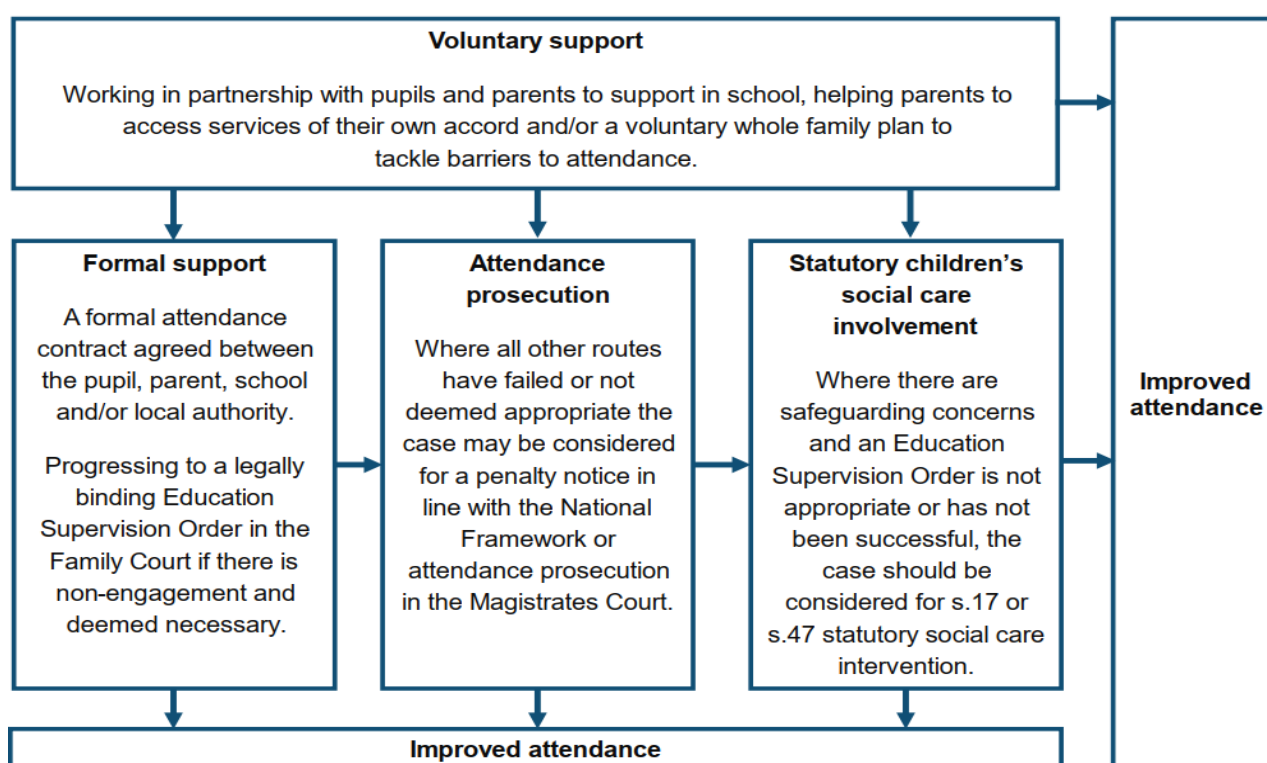
Listen and understand Discuss with pupils and parents to listen to and understand barriers to attendance

Facilitate support Explore support that might overcome the barriers, this might include in school support and external agencies such as Early Help Hub.

Formalise support This may include formalising support through an attendance contract or education supervision order.

Enforce Where all other avenues have been exhausted and support is not working or not being engaged with, enforce attendance through statutory intervention: a penalty notice in line with the National Framework or prosecution to protect the pupil's right to an education.

Providing support first before attendance legal intervention



8. Attendance Monitoring

8.1 The school office monitors pupil absence on a daily basis. Attendance is reviewed at least every half term.

Attendance and absence data is analysed regularly to identify pupils or cohorts that need additional support with their attendance, and the school uses this analysis to provide targeted support to these pupils and their families.

The school looks at historic and emerging patterns of attendance and absence, and then develops strategies to address these patterns.

Pupil-level absence data will be collected each term and published at national and local authority level through the DfE's school absence national statistics releases. The underlying school-level absence data is published alongside the national statistics. The school will compare attendance data to the national average and share this with the governing body.

8.2 Reducing Persistent and Severe Absence

The persistent absence threshold is 90%. If it is less than 50% the pupil is considered to be severely absent. Reducing persistent and severe absence is central to our strategies for improving attendance St Day and Carharrack Primary School will:

- Use attendance data to find patterns and trends of persistent and severe absence
- Send letters to parents of those children who are at risk of becoming persistently absent
- Hold regular meetings with the parents of pupils who the school (and/or local authority) considers to be vulnerable, or are persistently or severely absent, to discuss attendance and engagement at school
- Provide access to wider support services to remove the barriers to attendance
- Closer monitoring of identified children

9. Monitoring Arrangements

This policy will be reviewed as guidance from the local authority or DfE is updated, and as a minimum every year by the Headteacher and Governor Attendance Lead.

Appendix 1

Attendance codes

The following national codes will be used to record attendance information.

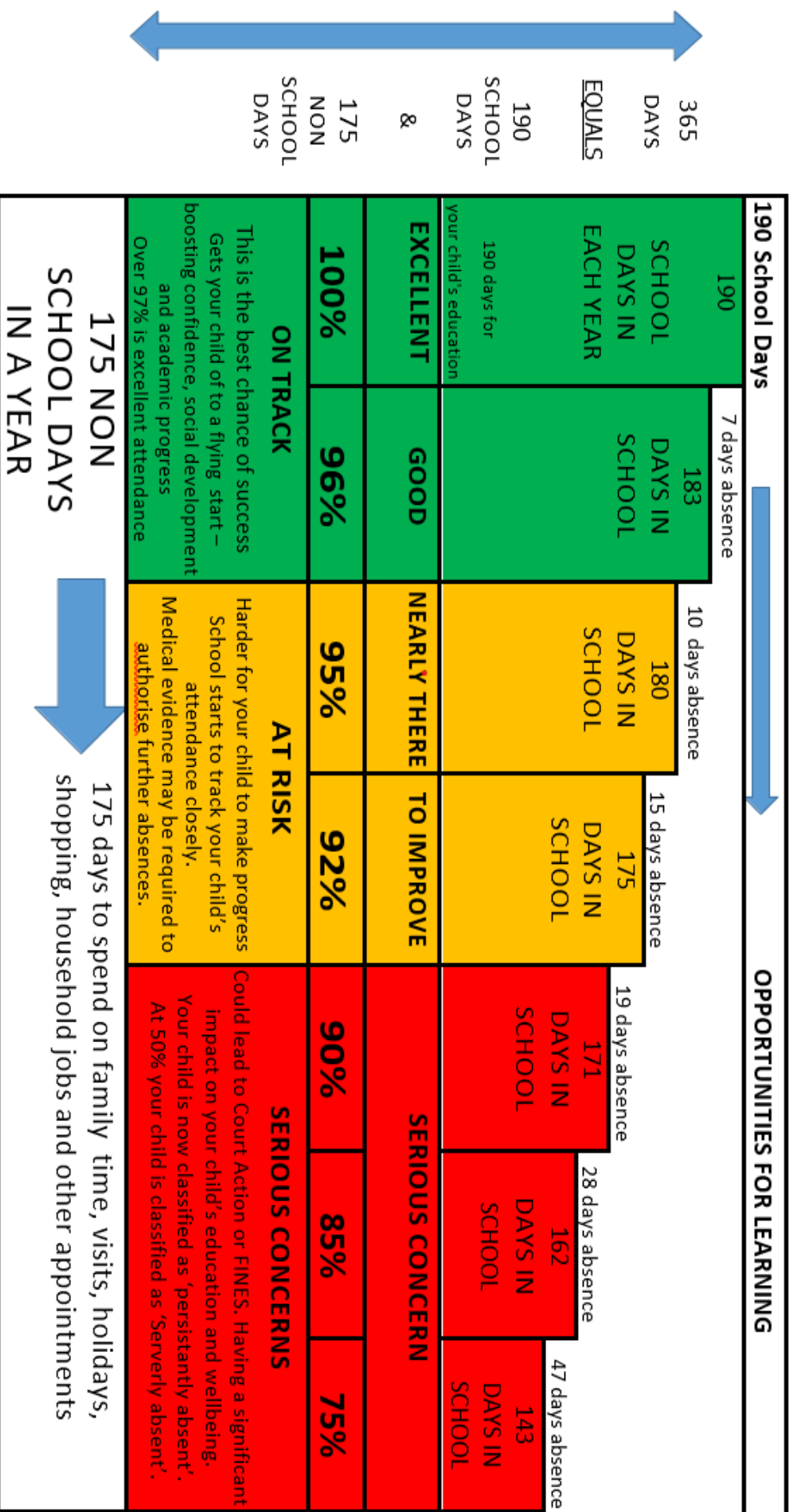
Code	Definition	Scenario
/	Present (am)	Present
\	Present (pm)	Present
L	Late (before registers closed)	Present
B	Educated Off-site (NOT dual registration) at an establishment approved by the school	Approved Education Activity
D	Dual registration (I.e. pupil attending other establishment)	Approved Education Activity
P	Approved sporting activity	Approved Education Activity
V	Educational visit or trip	Approved Education Activity
W	Work experience (final two years of compulsory education).	Approved Education Activity
K	Attending provision arranged by local authority	Approved Education Activity

Code	Definition	Scenario
Authorised absence		
C	Leave of absence granted by the school- Other Authorised, exceptional circumstances (not covered by another appropriate code/description). School should approach each case individually. C code to be used at Headteacher's discretion. C1 - employment-In a performance supported by a licence issued by a local authority or a BOPA; C2 - Agreed temporary part-time timetable	Authorised absence
E	Excluded (No alternative provision).	Authorised absence
I	Illness not medical or dental etc. appointments)	Authorised absence
J	J1 - Leave of absence for the purpose of attending an interview for employment or for admission to another educational institution	Authorised absence
M	Medical/dental appointments	Authorised absence
R	Religious observance	Authorised absence
S	Study leave	Authorised absence

T	Traveller absence	Authorised absence
Unauthorised absence		
G	Family holiday (Not agreed, <u>or</u> days in excess of agreement)	Unauthorised absence
N	No reason yet provided for absence (these should not stay on school's register for more than 5 days. If no reason has been provided after 5 days, schools should change the code to O).	Unauthorised absence
O	Unauthorised absence (Not covered by any other code/description) or if school is not satisfied the reason given is an authorised absence.	Unauthorised absence
U	Late (after registers closed)	Unauthorised absence

Code	Definition	Scenario
Q	Unable to attend due to a lack of access arrangements (local authority failed to put in place)	
X	Untimetabled sessions for non-compulsory school-age pupils	Not counted in possible attendances
Y (must have relevant no. next to it)	Unable to attend due to exceptional circumstances: Y1 -planned transport by county not available Y2 - large scale transport closure in the area Y3 -partial school closure Y4 -whole school closure (e.g. due to weather) Y5 -child in criminal justice detention Y6 -due to public health guidance or law Y7 -other unavoidable cause (reason must be recorded)	Not counted in possible attendances
Z	Prospective pupil not yet on roll	Not counted in possible attendances
#	School closed to pupils	Not counted in possible attendances

ST. DAY & CARHARRACK PRIMARY SCHOOL



If you are concerned about your child's school attendance or would like advice, then please contact the school. We work closely with the Educational Welfare Officer to meet with parents when attendance is falling to 90%.

Gaps in education can mean your child will not reach their full potential.

Appendix 3

LEAVE OF ABSENCE / EXCEPTIONAL CIRCUMSTANCE LEAVE REQUEST FORM

The law does not grant parents an automatic right to take their child out of school during term time. Any absence from school will disrupt your child's learning. You may consider that a holiday will be educational, but your child will miss out on the teaching that their classmates will receive during your holiday. Attendance is vital to academic success and lost education poses a potential risk of underachievement. This is something we all have a responsibility to avoid.

The Department for Education no longer allows Headteachers to grant any leave of absence during term time unless there are exceptional circumstances. The DfE does not consider a need or desire for a holiday or other absence for the purpose of leisure and recreation to be an exceptional circumstance. If you consider that your request for absence is exceptional you will need to complete the form attached to this notification. A response will be sent to you as soon as possible. If leave is not authorised and you nevertheless withdraw your child from school, the absence will be recorded as unauthorised absence.

There is now a national threshold of 10 unauthorised session (equivalent to 5 school days) for when a penalty notice must be considered. Under the new rules, taking your child out of school for a one-week holiday will now mean that a penalty notice must be considered.

If your child is absent from school without authorisation, you will be committing an offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices are issued per liable parent, per child and each carry a fine of £80 if paid within 21 days or £160 if paid after this but within 28 days. If your child is further absent from school without authorisation within any 3-year period, you will be committing a further offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices for a second offence are issued per liable parent, per child and each carry a fine of £160, payable within 28 days. Importantly, fines per parent will be capped to two fines within any three-year period. Once this limit has been reached, other action such as a parenting order or prosecution will be considered. Failure to pay the Penalty Notice may also result in legal action. If you are prosecuted and attend court because your child has not been attending school, you could get a fine of up to £2,500. Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs. Absence not authorised by the school may also result in a prosecution in the Magistrates' Court under Section 444(1) or Section 444(1A) of the Education Act 1996, leading to a fine of up to £2,500 and/or a custodial sentence. Again, Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs. Money raised from fines is only used by the local authority to cover the costs of administering the system, and to fund attendance support. Any extra money is returned to the government.

'Parent' as set out in Section 576 of the Education Act 1996, defines parent to include: natural parents, whether they are married or not; any person or body who has parental responsibility for a child (as defined by the Children Act 1989) and; any person who, although not a natural parent, has care of a child. Having care of a child means a person with whom a child lives and who looks after a child, irrespective of what their relationship is with said child.

All requests must be completed on this form; letters will not be accepted. This form should be returned to the school office at least 15 school days before the start of the absence. I hope you will support our efforts in raising attendance and attainment at St Day and Carharrack Community School.

APPLICATION BY PARENT/CARER

If you consider an absence during term time to be an exceptional circumstance, please complete this form and return it to the school office at least 15 school days before the date you wish to remove your child from school.

Pupil Name: _____

Class: _____ **Year Group** _____

Home Address: _____

Post Code: _____

Name of Parent/Carer completing this form: _____ **First**

day of absence: _____

Date of return to school: _____

If leaving your home address before the first day of absence, please provide the date on which you will leave: _____

Total number of days missed: _____ **days**

Reason for absence: _____

*I understand that if the absence request is unauthorised the school may request that Cornwall Council issue a Penalty Notice. I understand that a Penalty Notice is issued to **each** liable parent/carers of **each** child taken out of school and that this carries a fine of £80 if paid within 21 days, increasing to £160 if paid within 28 days (or £160 with no option to pay the lower amount if it is the 2nd penalty notice within a rolling 3-year period). I understand that if I do not pay the fine, it may result in legal action being taken against me. **I understand that parents have a duty to ensure their child's regular attendance at school and failure to do so is an offence under Section 444(1) and Section 444(1A) of the Education Act 1996.***

Please note we expect all parents with parental responsibility to sign.

Print NameSigned.....Date.....

Print NameSigned.....Date.....

(Please ensure you give at least 15 school days' notice of the proposed absence)

Below to be completed by the school: FAO – Headteacher

% current	% last year	Comments

Pupil Name:Class..... Year.....

☐ **AUTHORISED:**

☐ **UNAUTHORISED:**

Request has been authorised for the following dates **only:** ____/____/____ to ____/____/____

Signed **Headteacher**

Date ____/____/____

Letter sent / Phone Call / other	Signed:	Date:
Action: PN Request	Signed:	Date:

Appendix 4

Whole School Warning Letter

NAME AND ADDRESS

Dear Parent/Carer

Here at {enter school name}, we recognise that there are occasions when it is appropriate to authorise an absence, such as when a pupil is genuinely too ill to attend school.

However, the Government does not support parents taking children out of school unless the school agrees this is appropriate under '*exceptional circumstances*'. Any request for leave should be made in writing to the Headteacher using the school's '*Leave of Absence Exceptional Circumstances*' request form.

If your child is absent from school without authorisation, you will be committing an offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices are issued per liable parent, per child and each carry a fine of £80 if paid within 21 days or £160 if paid after this but within 28 days.

If your child is further absent from school without authorisation within any 3-year period, you will be committing a further offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices for a second offence are issued per liable parent, per child and each carry a fine of £160, payable within 28 days.

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

Failure to pay the Penalty Notice may also result in legal action. If you are prosecuted and attend court because your child has not been attending school, you could get a fine of up to £2,500. Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs.

Absence not authorised by the school may also result in a prosecution in the Magistrates' Court under Section 444(1) or Section 444(1A) of the Education Act 1996, leading to a fine of up to £2,500 and/or a custodial sentence. Again, Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs.

Money raised from fines is only used by the local authority to cover the costs of administering the system, and to fund attendance support. Any extra money is returned to the government.

'Parent' as set out in Section 576 of the Education Act 1996, defines parent to include: natural parents, whether they are married or not; any person or body who has parental responsibility for a child (as defined by the Children Act 1989) and; any person who, although not a natural parent, has care of a child. Having care of a child means a person with whom a child lives and who looks after a child, irrespective of what their relationship is with said child.

You are welcome to contact the school to discuss any concerns you may have regarding this or if you feel you would like advice or support in helping your child attend more regularly. {Enter school name} is committed to enabling every child to reach their full potential and aims to work with parents to ensure this can be achieved.

Yours sincerely
Headteacher

Appendix 5

Leave Refusal Letter

NAME AND ADDRESS

Date

Dear Name of parent/carer(s)

I am writing regarding your request to take (Student Name) out of school on Date until Date.

The law states that a planned absence from school should only be authorised for pupils in 'exceptional circumstances'. Here at [enter school name], we recognise that there are occasions when it is appropriate to authorise an absence; we look at each request on its own merit before reaching a decision.

Under the circumstances, we regret that on this occasion we are unable to authorise your request for absence. If (Student Name) does not attend school on the dates concerned, the absence will be recorded as unauthorised. In cases where parents subsequently report their child as ill during this period, medical evidence may be requested to support this.

I urge you to reconsider your decision.

If your child is absent from school without authorisation, you will be committing an offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices are issued per liable parent, per child and each carry a fine of £80 if paid within 21 days or £160 if paid after this but within 28 days.

If your child is further absent from school without authorisation within any 3-year period, you will be committing a further offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices for a second offence are issued per liable parent, per child and each carry a fine of £160, payable within 28 days.

Importantly, fines per parent will be capped to two fines within any three-year period. Once this limit has been reached, other action such as a parenting order or prosecution will be considered. Failure to pay the Penalty Notice may also result in legal action. If you are prosecuted and attend court because your child has not been attending school, you could get a fine of up to £2,500. Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs.

Absence not authorised by the school may also result in a prosecution in the Magistrates' Court under Section 444(1) or Section 444(1A) of the Education Act 1996, leading to a fine of up to £2,500 and/or a custodial sentence. Again, Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs.

Money raised from fines is only used by the local authority to cover the costs of administering the system, and to fund attendance support. Any extra money is returned to the government.

'Parent' as set out in Section 576 of the Education Act 1996, defines parent to include: natural parents, whether they are married or not; any person or body who has parental responsibility for a child (as defined by the Children Act 1989) and; any person who, although not a natural parent, has care of a child. Having care of a child means a person with whom a child lives and who looks after a child, irrespective of what their relationship is with said child.

I would like to offer you the opportunity to contact {enter staff contact or team} at {enter school name} if you would like advice or support in helping your child attend more regularly. {Enter school name} is committed to maximising the education of all its pupils and aims to work with parents to ensure this can be achieved. If you would like to discuss this matter further, please contact the school.

Yours sincerely
Headteacher

How is a Penalty Notice paid?

Penalty notices can be paid by card by calling the office on 01872 324201. Alternatively, payment can be made by cash or cheque at any Cornwall Council Information Service. If the 21st/ 28th day for payment falls on a weekend or bank holiday, payment will be accepted at the same rate on the following working day.

What happens if a Penalty Notice is not paid?

If a Penalty Notice is not paid within the 28 days of issue (as per the dates listed on the Penalty Notice), Cornwall Council will progress the matter to the Magistrates' Court, for the offence of failing to ensure regular attendance, NOT for failure to pay the fine.

If found guilty:

- under section 444(1), it can result in the parent being fined up to £1000
- under section 444(1A), it can result in the parent being fined up to £2,500 and/ or receiving a custodial sentence of up to 3 months

Cornwall Council may also apply for costs incurred in taking the matter to court.

Contact us

Education Welfare Service, New County Hall, Treyew Road, Truro, TR1 3AY

educationwelfare@cornwall.gov.uk

01872 324298

If you would like this information in another format or language please contact:

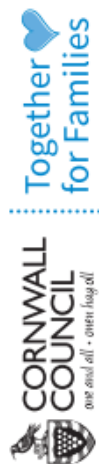
Cornwall Council, County Hall,
Treyew Road, Truro, TR1 3AY

e: customerservices@cornwall.gov.uk

t: 0300 1234 100



Sept 2024, jn54975
Photo © iStockphoto.com



Penalty Notices

A guide to Education Welfare Services
for parents and carers



 www.cornwall.gov.uk/togetherforfamilies

What is a Penalty Notice?

A penalty notice is a fine that can be issued under section 444A and section 444B of the Education Act 1996. The fine is issued per parent, per child for:

- Leave of absence of 10 school sessions/5 days or more within any rolling 10 school week* period during term time, without authorisation from the school. This can include unauthorised absence for a holiday.
- Unauthorised absence of 10 or more sessions/5 days within any rolling 10 school week* period where a parent fails to provide an explanation for the absence, or where an explanation is provided but the school considers it insufficient to authorise the absence.
- Unauthorised lateness of 10 school sessions within any rolling 10 school week* period, whereby a child arrives at school after the registers have closed.

NB a penalty notice can be issued for any combination of the above reasons where there are 10 sessions/5 school days or more of unauthorised absence within any rolling 10 school week period. The unauthorised absence can be consecutive or non-consecutive and can span over two terms (including between academic years).

Or when

- A pupil is observed in a public place during school hours in the first five school days of a period of exclusion from school, without reasonable justification.

* a school week is any week in which a school meets at least once.

Who can be issued with a Penalty Notice?

Parents and carers of a child can be issued with a Penalty Notice. The definition of a 'parent' as set out in section 576 of the Education Act 1996: By virtue of this section 'parent' includes: all natural parents, whether they are married or not; any person or body who has parental responsibility for a child (as defined by the Children Act 1989) and any person who, although not a natural parent, has care of a child. Having care of a child means a person who lives with and looks after a child, irrespective of what their relationship is with said child.

How much is a Penalty Notice fine?

As of the 19th of August 2024, a penalty notice is £80 if paid within 21 days. If the fine is not paid in 21 days, it will rise to £160 if paid within 28 days of being issued.

If a second penalty notice is issued to the same parent for the same child within a three-year rolling period, the fine will automatically rise to £160 with no option to pay the lower rate of £80.

If a parent then commits a third offence in a three-year rolling period, Cornwall Council will need to consider other enforcement optional options available. This could include prosecution under section 444(1) or section 444(1A) of the Education Act 1996. If found guilty a parent would receive a criminal record and substantial fine.

Penalty Notices are issued per parent, per child.

Therefore, if there are two parents and two children, the fines will total £320 if paid within 21 days or £640 if paid after 21 days but within 28 days (or for a second offence).

Can a Penalty Notice be paid in instalments?

No. Penalty Notices must be paid in full, within the designated dates. However, if a parent has more than one child and is therefore issued with more than one fine, they can pay the fines separately if they wish.

Who is responsible for issuing Penalty Notices?

It is a Headteacher's decision whether or not to authorise an absence and, if their decision is not to authorise, they have the right to request a Penalty Notice in line with their attendance policy process. Cornwall Council's role is to check that the evidence submitted is compliant with Cornwall Council's Code of Conduct for Education Related Penalty Notices and, if so, to issue as appropriate.

Can a parent appeal a Penalty Notice?

There is no statutory right of appeal once a Penalty Notice has been issued. If you believe that the Penalty Notice should not have been issued, you should make contact with the school or academy that your child attends at your very earliest convenience after receiving the Penalty Notice. If you wish to discuss the Penalty Notice procedure, you can contact Cornwall Council's Education Welfare Service on **01872 324298**, or email educationwelfare@cornwall.gov.uk

Notice to Improve

NOTICE TO IMPROVE

School attendance is hugely important. For your child to gain the full benefit from their education, for their learning, wellbeing, and wider development, they need to attend on time, every day possible.

Section 7 of the Education Act 1996 places a duty upon parents of a child of compulsory school age to cause that child to receive efficient full-time education.

<https://www.legislation.gov.uk/ukpga/1996/56/section/7>

If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school, the child's parent(s) may be guilty of an offence under s.444 of the Education Act 1996.

You, «FORENAME» «SURNAME» are a parent/carer of «Students_Name», who is a registered pupil at «School_Name».

The school have offered support to you and your family to try and help improve «Students_Name»'s attendance, including:

1. **Telephone calls.** The school contacted you every day your child was absent to understand why your child was absent and to offer support with any issues your child may be having.
2. **An Attendance Overview Letter.** The school wrote to you, letting you know about «Students_Name»'s attendance, the impact of their continued absence, and inviting you to contact the school to discuss the situation further.
3. **An Attendance Support Meeting Invite.** The school invited you to a meeting to discuss your child's unauthorised absences and to offer support to ensure that their attendance improved. You were notified of the consequences should your child continue to have unauthorised absence and you did not effectively engage with the support offered.

Unfortunately, despite the support that was offered to your family, attendance remains a cause for concern.

Between «WARNING_START_DATE» and «WARNING_END_DATE» «Students_Name» failed to attend regularly at «School_Name», which resulted in 10 sessions (half days) or more of unauthorised absences - being recorded. Please see the attached registration certificate for details.

You now have thirty school days (6 weeks) in which to improve your child's attendance. During this time your child must show significant improvements in attendance and (SCHOOL TO DETAIL WHAT SUFFICIENT IMPROVEMENT IN THE 6 WEEK VALIDITY PERIOD WILL LOOK LIKE ON A CASE-BY-CASE BASIS. THIS COULD INCLUDE NO FURTHER UNAUTHORISED ABSENCES IN THE 6 WEEK PERIOD).

Should we not see sufficient improvement, and further unauthorised absences take place during this period, a Penalty Notice may be issued.

A penalty notice is charged at £160 if paid within 28 days or £80 if paid within 21 days for a 1st offence, and £160 if paid within 28 days for a 2nd offence within a 3-year rolling period.

NB – A Penalty Notice may be issued before the end of the 6-week validity period if it is evident that the terms of 'sufficient improvement' have not been met

If you wish to discuss this notice, or discuss what further support is available, including previously provided support that was not engaged with, please contact the school as soon as possible.

Yours sincerely
(Name)
(Job Title)
(School Name)

If your child is absent from school without authorisation, you will be committing an offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices are issued per liable parent, per child and each carry a fine of £80 if paid within 21 days or £160 if paid after this but within 28 days.

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Failure to pay the Penalty Notice may also result in legal action. If you are prosecuted and attend court because your child has not been attending school, you could get a fine of up to £2,500. Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs.

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