

Monday 24th May 2021

Dear parents/carers,

After a recent review of our registers, since returning after lockdown attendance has dropped significantly and is not where we expect it to be. A trend has been identified where the majority of children are absent on Monday's and Friday's. This is not acceptable, we expect all children to be in school everyday unless they have an authorised reason to be absent. All children's attendance will now be monitored closely with the following steps in place:

In accordance with the DfE's decision to lift its 7th disapplication of legal prosecutions in the UK with effect from the 08/03/21 the Education Welfare Service has reinstated the issuing of Penalty Notices to combat irregular/poor school attendance.

Threshold for issuing Penalty Notices:

Penalty Notices are still being issued on the basis that a pupil has had 8 or more unauthorised absence sessions (4 days) [G and/or O codes] recorded against their Registration certificate.

NB 1 these 8 or more unauthorised absence sessions (4 days) can either be consecutively OR sporadically accrued, but MUST be established within the same 6 week period of schooling [cumulatively accrued].

Qualifying period:

In terms of qualifying periods for issuing of Penalty Notices – all Schools within Walsall can go back as far as the week commencing the 08/03/21 and count forward 6 weeks (onwards) to establish the 8 unauthorised absence sessions (4 days) missed.

In several instances there will not be a need to go this far back to define the qualifying period, for e.g. the unauthorised absences didn't occur until week commencing the 19/04/21.

NB 2 in light of the commencement date cited above, any unauthorised absences that have been recorded against a pupil's Registration certificate prior to the 08/03/21 are inapplicable and will be discounted when establishing the qualifying 8 unauthorised sessions (4 days) missed.

Threshold for issuing Penalty Notice Warning Letters:

Penalty Notice Warning letters are still being issued on the basis that a pupil has a minimum of 6 unauthorised absence sessions (3 days) recorded against their Registration certificate consecutively OR sporadically within any 6 week period of schooling [cumulatively collated].

Schools should typically use Penalty Notice Warning Letters in instances where the threshold for issuing a Penalty Notice has not been met (namely less than 8 unauthorised absence sessions (4 days) have been missed in a 6 week period of schooling).

In such instances where there is still an attendance concern namely whereby the pupil has been classified as a Persistent Absentee (PA) then a Penalty Notice Warning Letter should be issued instead.

Attendance Panel/ Legal Action:

Cases that you want to go down the Attendance Panel [Virtual]/Legal Action engagement route will need to be preceded by a 1st and Final Warning Letter being issued against the parents/carers.

In both instances - the Warning Letters [1st and Final] have to be issued against a minimum of 8 unauthorised absence sessions.

These successive unauthorised absence sessions need to be recorded against the pupil's Registration certificate within two separate 6 week periods of schooling.

This in turn may result in both letters being issued within a 12 week period of schooling.

In some instances, both the 1st and Final Warning letters may however be legitimately issued in a period which is less than 12 weeks of schooling or exceeds it – this will ultimately be determined by when the unauthorised absences occur.

NB 3 – where the threshold for issuing Warning letters has not been met this information will be fed back to schools within a timely fashion – namely within 5 working days of the request being reviewed by the Education Welfare Service.

Authorised and Unauthorised Absence:

Authorised:

- All absences will be authorised or unauthorised by school.
- Medical letters need to be provided to the office when a child has been absent in order to authorise the absence.
- Parents should call the school office before 9.00am on the child's first day of absence. If this is not done the school will call home.

Unauthorised:

- If telephone calls and absence letters are not received by school within 7 days of the child's absence then the absence will be marked as unauthorised.
- If children are absent for more time than is required for the illness, then the rest of the time they have off school will be marked as unauthorised.

- If you do not provide the school office with medical letters or doctors notes for appointments taken during school time they will be marked as unauthorised.

Unauthorised absence includes time absent from school for:

- High temperatures
- Cold/Flu
- Headache
- Tummy Ache
- Car breakdown
- Getting up late
- Holidays
- Hospital visits/medical appointments NOT relating to the child
- Looking after another family member
- Looking after the house
- Unwillingness to come to school
- Waiting in for trades people
- Wet weather.

❖ Pupils must attend school on a Friday as this construes a full day equal to 2 register sessions.

Holidays:

North Walsall Primary Academy's policy is not to authorise holidays in term time, unless there are exceptional circumstances. If you decide to take your child out of school during term time, it will be classed as an UNAUTHORISED HOLIDAY and the Education Welfare Officer will be informed. Legal action is taken for poor school attendance as well as unauthorised holiday. Fixed penalty notices are also issued for unauthorised holidays.

I hope you appreciate the reasons for having to take this course of action and trust we have your continued support in this matter.

If you wish to discuss this in further detail, please do not hesitate to contact me.

Kind Regards,



Miss C Walters
Attendance Officer

Mrs L Vincent
Academy Transformation Trust,
Attendance Advisor

Legal Action

Information for Parents

Section 23(1) Anti-Social Behaviour Act 2007:

Penalty Notices may be issued to the parent of pupils who have unauthorised absence from school. The amount of the penalty is £60.

- If this is not paid within 21 days the amount rises to £120.
- If not paid within 28 days the Local Authority may prosecute under Section 444(1) unless it comes to our attention that the penalty notice had been issued in error.

Section 444(1) Education Act 1996:

"If you are the parent of a child of compulsory school age who fails to attend school regularly, you are guilty of an offence."

- The court can fine each parent up to £1,000 per child, order payment of the prosecution costs and/or impose a Parenting Order.

Section 444(1A) Education Act 1996:

"If in the above circumstances you, the parent, know that your child is failing to attend regularly at the school and fail without reasonable justification to cause him/her to attend, you are guilty of an offence."

- The court can fine you up to £2,500 per child, order payment of the prosecution costs, impose a Parenting Order and/or sentence you to a period of imprisonment of up to 3 months.

Please note that:

- Penalties and prosecutions are in respect of each parent for each child.
- "Parent" includes any person who is not a parent but who has parental responsibility for the child or who has care of him/her.

These prosecutions are criminal proceedings and could result in you having a criminal record.

How does your child compare?

Attendance during one school year	Equals this number of days absent	Which is approximately this many weeks absent	Which means this number of lessons missed
90%	19 days	4 weeks	100 lessons
80%	38 days	8 weeks	200 lessons
70%	57 days	11.5 weeks	290 lessons

Frequent absence can add up to a considerable amount of lost learning and can seriously disadvantage your child in adult life.