



The Federation of Middleham (VA) & Spennithorne (VC) CE Primary Schools

Blessed is the one who trusts in the Lord, whose confidence is in him.
They will be like a tree planted by the water that sends out its roots by the stream.
It does not fear when heat comes; its leaves are always green.
It has no worries in a year of drought and never fails to bear fruit.

Jeremiah 17: 7 - 8

The Federation of Middleham (VA) & Spennithorne (VC) CE Primary Schools

Attendance and Absence Policy: Pupils

Person Responsible: Mrs Marie Mann (Executive Headteacher, Designated Safeguarding Lead and Attendance Officer)

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Statement of intent

Pupils cannot achieve their full potential if they do not regularly attend school.

We are committed to:

- Ensuring parents follow the framework set in Section 7 of the Education Act 1996, which states that:
"The parent of every child of compulsory school age shall cause him/her to receive efficient full-time education suitable –
(a) to age, ability and aptitude, and
(b) to any special educational needs a child may have
Either by regular attendance at school or otherwise."
- Promoting and modelling good attendance behaviour.
- Ensuring equality and fairness of treatment for all.
- Implementing our policies in accordance with the Equality Act 2010.
- Early intervention and working with other agencies to ensure the health and safety of our pupils.
- Rewarding regular attendance and punctuality.

Legal framework

This policy has due regard to legislation and statutory guidance, including, but not limited to, the following:

- Education Act 1996
- Equality Act 2010
- The Education (Pupil Registration) (England) Regulations 2006 (As amended)
- The Children (Performances and Activities) (England) Regulations 2014
- Children and Young Persons Act 1963
- DfE (2015) 'Child performance and activities licensing legislation in England'
- DfE (2016) 'Children missing education'
- DfE (2024) 'Keeping children safe in education'
- DfE (September 2022) Working Together to Improve School Attendance

This policy will be implemented in conjunction with the following school policies:

- Behaviour Policy
- Child Protection Policy
- Complaints Procedures Policy

Responsibilities and Expectations

The **governing body** has overall responsibility for:

- Monitoring the implementation of this policy and all relevant procedures across the school.
- Ensuring that this policy, as written, does not discriminate on any grounds, including, but not limited to, ethnicity/national origin, culture, religion, gender, disability or sexual orientation.
- Handling complaints regarding this policy as outlined in the school's **Complaints Procedures Policy**.
- Having regard to 'Keeping children safe in education' when making arrangements to safeguard and promote the welfare of children.

The **headteacher** is responsible for:

- The day-to-day implementation and management of this policy and all relevant procedures across the school.
- Ensuring all parents are aware of the school's attendance expectations and procedures.
- Ensuring that every pupil has access to full-time education and will act as early as possible to address patterns of absence.

Staff are responsible for:

- Following this policy and ensuring pupils do so too.
- Ensuring this policy is implemented fairly and consistently.
- Modelling good attendance behaviour.
- Using their professional judgement and knowledge of individual pupils to inform decisions as to whether any welfare concerns should be escalated.
- Where designated, taking the attendance register at the relevant times during the school day.

The **Headteacher** is responsible for informing the LA of any pupil being deleted from the admission and attendance registers if they:

- Are being educated from home.
- No longer live within a reasonable distance of the registered school.
- Have an authorised medical note.
- Are in custody for a period of more than four months and the proprietor does not reasonably believe they will be returning.
- Have been permanently excluded.

We expect **pupils** to:

- Arrive punctually and participate in their lessons and any agreed activities when at school.

Parents/carers are responsible for:

- Providing accurate and up-to-date contact details.
- Providing the school with more than one emergency contact number.
- Updating the school if their details change.
- The attendance of their children at school.
- Promoting good attendance and punctuality with their children.

- Working with the school and outside agencies to improve attendance where necessary.

Definitions

For the purposes of this policy, the school defines:

- **Absence** as:
 - Arrival at school after the register has closed.
 - Not attending school for any reason.
- An **authorised absence** as:
 - An absence for sickness for which the school has granted leave.
 - Medical or dental appointments which unavoidably fall during school time, for which the school has granted leave.
 - Religious or cultural observances for which the school has granted leave.
 - An absence due to a family emergency.
- An **unauthorised absence** as:
 - Parents keeping children off school unnecessarily or without reason e.g: shopping, looking after other children or birthdays.
 - Absences which have not been properly explained.
 - Arrival at school after the register has closed (Middleham: 9:00 am; Spennithorne: 9:15am).
 - Absence due to day trips and holidays in term-time which have not been agreed.
 - Leaving school without a valid reason during the day.

1. Absconding Procedure

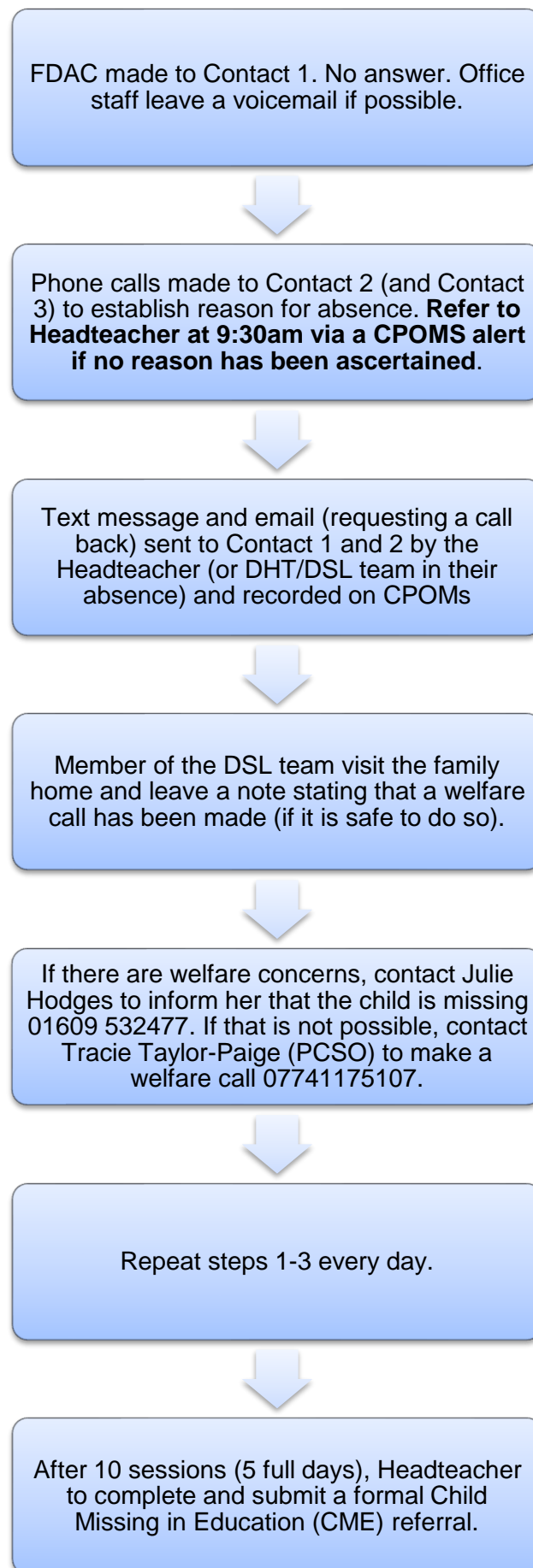
- 1.1. Pupils will not be permitted to leave the school premises during the school day unless they have permission from the school.
- 1.2. The following procedures will be taken in the event of a pupil going missing whilst at school:
 - The member of staff who has noticed the missing pupil will inform the **Headteacher** immediately.
 - The **office staff** will also be informed; they will act as a point of contact for receiving information regarding the search. **One line must be kept free at all times during the search.**
 - A member of staff will stay with the rest of the class, and all other available members of staff will conduct a thorough search of the school premises as directed by the **Headteacher**.
 - The following areas will be systematically searched:
 - All classrooms
 - All toilets
 - Group rooms
 - Offices
 - Any outbuildings
 - The school grounds
 - Available staff will begin a search of the area immediately outside of the school premises, and will take a mobile phone with them so they can be contacted.

- If the pupil has not been found after **10** minutes, then the parents of the pupil will be notified along with the police.
 - The school will attempt to contact parents using the emergency contact numbers provided.
 - The missing pupil's teacher will fill in an incident form, describing all circumstances leading up to the pupil going missing.
- 1.3. If the missing pupil has an allocated social worker, is a looked-after child, or has any SEND, then the appropriate personnel will be informed.
 - 1.4. When the pupil has been located, members of staff will care for and talk to the pupil to ensure they are safe and well.
 - 1.5. The **Headteacher** will take the appropriate action to ensure that pupils understand they must not leave the premises, and sanctions will be issued if deemed necessary.
 - 1.6. Parents and any other agencies will be informed immediately when the pupil has been located.
 - 1.7. The **Headteacher** will carry out a full investigation, and will draw a conclusion as to how the incident occurred.
 - 1.8. Appropriate disciplinary procedures will be followed in accordance with the **Behaviour Policy**.
 - 1.9. A written report will be produced, and policies and procedures will be reviewed in accordance with the outcome where necessary.

2. **Absence procedures**

- 2.1. Parents will be required to contact the **school office** via **telephone** (Middleham: 01969 623592 or Spennithorne: 01969 623474) by **9:00am** at the latest on the first day of their child's absence and on every subsequent day thereafter (unless known when child will return e.g. 48 hours after D and V). A message can be left on the absence line (Option 1) or directly with the school office (Option 2).
- 2.2. Reasons for absence are flagged and recorded on SIMs as evidence for attendance monitoring.
- 2.3. A **first day absence call (FDAC)** will be made to the parent/carer of any pupil who has not reported their child's absence on the first day that they do not attend school by **9:30am**.
- 2.4. The school will always follow up any absences in order to:
 - Ensure the **proper safeguarding action is being taken**.
 - Ascertain the reason for the absence.
 - Identify whether the absence is authorised or not.
 - Identify the correct code to use to enter the data onto the school MIS system.
- 2.5. The school will inform the LA, on a **termly** basis, of the details of pupils who fail to attend regularly, or who have missed 10 school days or more without authorisation in order to escalate Fast Track procedures.

Process if no contact can be made:



3. Appointments

- 3.1. As far as possible, parents will be encouraged to book medical and dental appointments outside of school hours.
- 3.2. Where this is not possible, a note and appointment card will be sent to the **school office** (a comment will be made on SIMs to confirm this has been seen).
- 3.3. If the appointment requires the pupil to leave during the school day, they will be signed out at the **school office** by a parent.
- 3.4. Pupils will be expected to attend school before and after the appointment wherever possible.

4. Attendance register

- 4.1. The designated staff members will take the attendance register **at the start of each school day (no later than 8.50am at Middleham and 9.05am at Spennithorne) and at the start of the afternoon session (no later than 1.05pm at both schools).**

Teachers and support staff record: / or - then save the register

- 4.2. The school will use the national attendance codes to ensure attendance and absence are monitored and recorded in a consistent way.
- 4.3. When the school has planned in advance to be fully or partially closed, the code '#' will be used for the relevant pupils who are absent. This code will also be used to record year groups who are not due to attend because the school has set different term dates for different years, e.g. induction days.
- 4.4. Every entry received into the attendance register will be preserved for **three years**.

5. Family involvement

- 5.1. The school will build respectful relationships with parents and families to ensure their trust and engagement.
- 5.2. The school will communicate openly and honestly with pupils and their families about their expectations of school life, attendance and performance so that they understand what to expect and what is expected of them.
- 5.3. The school will liaise with other agencies working with pupils and their families to support attendance, e.g. children and families services. **Families can speak to someone about receiving support from Children and Families – Early Help Teams by calling 01609 534829 (Selby, Hambleton and Richmond areas).**

6. Lateness

- 6.1. The school will regard punctuality as of the utmost importance and lateness will not be tolerated.
- 6.2. The school day starts at **Middleham 8:45am; Spennithorne 9:00am (prompt)**. Pupils should be in their classroom at this time.
- 6.3. Registers are marked by **Middleham 8.50am/Spennithorne 9:05am**. Pupils will receive a late mark if they are not in their classroom by this time. The school office indicates how many minutes late the pupil is on Scholar Pack.
- 6.4. The register closes at **Middleham 9.00am; Spennithorne 9:15am**. Pupils will receive a mark of unauthorised absence if they do not attend school before this time.
- 6.5. After lunch, registers are marked and saved within 10 minutes of entering the classroom.

7. Reducing persistent and severe absence

- 7.1. Persistent absence is defined as more than 10% missed sessions. This means attendance of below 90%.
- 7.2. Severe absence is below 50%.
- 7.3. The school will ensure it provides support to pupils at risk of persistent and severe absence in conjunction with all relevant external authorities where necessary.
- 7.4. The attendance officer will:
 - Foster strong relationships with families to offer low level initial support. Support and co-operation are always invested in comprehensively before any enforcement action.
 - Offer wraparound care free of charge to support punctuality and attendance. This may be targets for specific days where a pattern is emerging.
 - Monitor and analyse attendance data every three weeks to ensure that intervention is delivered quickly to address absence.
 - Establish robust escalation procedures which will be initiated before absence becomes a problem by following the school/LA attendance procedures – available by contacting the school office or the Local Authority (01609 798013)
 - Formalise early intervention with the NYCC early intervention letters.
 - Offer support from Early Help or other outside agencies (depending on the barrier to attendance).
 - Escalate to the Fast Track process if early targets are not met.
 - Send initial warning letter.
 - Convene an attendance panel meeting with the family and other professional.
 - Reconvene the panel to evaluate the impact.
 - Refer to PACE if attendance continues to decline.
 - Fixed Penalty, Education Welfare Order, Prosecution.

- Monitor the implementation and quality of escalation procedures and seek robust evidence of the escalation procedures that work.

7.5. The **governing body** will engage in attendance-related issues via the termly Headteacher's report.

7.6. Where a pupil at risk of persistent or severe absence, they are also at increased risk of harm. The school will work in conjunction with all relevant authorities, e.g. Children and Families services to support the pupil in line with the school's duty of care.

7.7. The school attendance system will be used to give an accurate and informative view of attendance, reasons for absence and patterns within groups, including:

- Children in need
- Looked After Children
- Pupils who are eligible for income dependent Free School Meals
- Pupils learning English as an additional language
- Pupils with special educational needs and/or disabilities

The summary table of responsibilities for school attendance (DfE May 2022) highlights the responsibilities for maintained schools and local authorities:
https://assets.publishing.service.gov.uk/media/66bf301e253aee7aafdbdfea/Summary_table_of_responsibilities_for_school_attendance_-_August_2024.pdf

8. Religious observances

8.1. The school will take advice from local religious leaders of all faiths to establish the appropriate number of days of absence required for religious festivals.

8.2. Parents will be required to inform the school in advance if absences are required for days of religious observance.

9. Rewarding good attendance

9.1. Good attendance and punctuality will be rewarded in the following ways

- Letters and postcards home
- Stickers and certificates
- School Newsletters

10. School strategy for using data to target attendance improvement

As poor attendance is habitual, prevention and early intervention is crucial. The key to this is regular data analysis to both identify and provide immediate additional support to pupils or pupil cohorts that need it, and to look at historic and emerging patterns across the school and develop strategies to address them. At The Federation of Middleham (VA) & Spennithorne (VC) CE Primary Schools we:

- Monitor and analyse weekly attendance patterns and trends and deliver intervention and support in a targeted way to pupils and families. This should go beyond headline attendance percentages and should look at individual pupils, cohorts and groups (including their punctuality) across the school to help schools achieve their responsibilities under the Public Sector Equality Duty.
- Use analysis to provide regular attendance reports to class teachers to facilitate discussions with pupils and to leaders (including any special educational needs coordinators, designated safeguarding leads and pupil premium leads).
- Identify the pupils who need support and focus efforts on developing targeted actions for those cases.
- Conduct thorough analysis of half-termly, termly, and full year data to identify patterns and trends. This includes analysis of pupils, pupil groups and cohorts and identifying patterns in uses of certain codes and days of poor attendance.
- Benchmark their attendance data (at whole school, year group and cohort level) against local, regional, and national levels to identify areas of focus for improvement using FFT.
- Devise specific strategies to address areas of poor attendance identified through data.
- Monitor in the data the impact of school wide attendance efforts, including any specific strategies implemented. The findings are used to evaluate approaches or inform future strategies using the attendance monitoring tracker.
- The Headteacher provides termly data and reports to support the work of the board or governing body.

11. Sporting and acting performances/activities

- 11.1. The school will ensure that all pupils engaging in performances/activities (whether they, or another person, receives payment or not), which require them to be absent from school, understand that they will be required to obtain a licence from NYCC which authorises the school's absence(s).
- 11.2. Additional arrangements will be made (by the third party) for pupils engaging in performances or activities that require them to be absent from school to ensure they do not fall behind in their education – this may involve private teaching. These arrangements will be approved by the LA who will ensure that the arrangements are suitable for the pupil.
- 11.3. The pupil will receive education that, when taken together over the term of the licence, amounts to a minimum of three hours per day that the pupil would be required to attend a school.
- 11.4. The above requirement will be met by ensuring a pupil receives an education:
 - For not less than six hours a week; and
 - During each complete period of four weeks (or if there is a period of less than four weeks, then during that period), for periods of time not less than three hours a day; and
 - On days where the pupil would be required to attend school if they were attending a school maintained by the LA; and
 - For not more than five hours on any such day.
- 11.5. Where a licence has been granted by the LA and it specifies dates of absence, no further authorisation will be needed from the school.

- 11.6. Where an application does not specify dates, and it has been approved by the LA, it is at the discretion of the **Headteacher** to authorise the leave of absence for each day.

12. Term-time leave

- 12.1. The school will require parents to observe the school holidays as prescribed.
- 12.2. Leave of absence request forms are available at the school office (and in **Appendix a**) and need to be completed in as much advance as possible.
- 12.3. The **Headteacher** will be only allowed to grant a leave of absence in exceptional circumstances. Applications will be made in advance and the **Headteacher** will be satisfied by the evidence which is presented, before authorising term-time leave.
- 12.4. For close family weddings and funerals, up to three days leave will be granted (one for travel, one for the day itself and one for travelling back).
- 12.5. The **Headteacher** will not authorise holidays during term-time, except under exceptional circumstances. A form must still be completed so that school is aware of the child's whereabouts and welfare.
- 12.6. If parents take their child out of school during term-time without authorisation from the **Headteacher**, they may be subject to enforcement action after 10 sessions (5 days) of cumulative absence across the academic year.
- 12.7. The **Headteacher** will determine the amount of time a pupil can be away from school during term-time. Any leave of absence is at the discretion of the **Headteacher**.
- 12.8. Any requests for leave during term-time will be considered on an individual basis.
- 12.9. Requests for leave will not be granted immediately before and during assessment periods.

13. Timings of the School Day

Spennithorne (EYFS, Year 1 & 2)

Morning Session: 9am – 12pm

Afternoon Session 1 – 3.30pm

The school day begins at 9am. At Spennithorne, the school playground is supervised by a member of staff from 8.50am, ten minutes prior to the start of school and it should be understood that children will not be supervised in the playground before that time. For those being transported from their registered school to their teaching school via the school bus, the bus leaves Middleham at 8.45am.

Middleham (Years 3 - 6)

Morning Session: 8.45 – 12pm

Afternoon Session 1 – 3.15pm

The school day begins at 8.45am. At Middleham, the school playground is supervised by a member of staff from 8.35am, ten minutes prior to the start of school and it should be understood that children will not be supervised in

the playground before that time. For those being transported from their registered school to their teaching school via the school bus, the bus leaves Spennithorne at 8.30am.

14. Young carers

- 14.1. The school understands the difficulties that face young carers, and will endeavour to identify young carers at the earliest opportunity, as well as through their time at the school.
- 14.2. The school will take a caring and flexible approach to the needs of young carers and each pupil will be examined on a case-by-case basis, involving other agencies if appropriate.
- 14.3. The school, in conjunction with relevant authorities (Carers Plus), will implement support for pupils who are young carers, to encourage their sustained and regular attendance at school in line with the school's expectations.

Monitoring and review

- 14.4. The school will monitor attendance and punctuality throughout the year.
- 14.5. The school's attendance target is 97%.
- 14.6. This policy will be reviewed every year by the Headteacher and Governing Body.

Appendix a

APPLICATION FOR PUPIL LEAVE OF ABSENCE DURING TERM TIME IN EXCEPTIONAL CIRCUMSTANCES

Name of pupil(s):

Full Name of Parent/Carer(s)

School:

Home Address:

Telephone No:

Siblings: (if different school)

Schools attending:

I request permission for my child to be absent from school

From.....To.....Total school days.....

Exceptional circumstances for request:

(this section must be answered in full and against stated criteria)

Signature of parent/carers.....Date.....

For school use only

Seen by Head teacher (signature).....Date.....

.

Decision reached.....

Date reply returned to parent (s).....

Appendix c – NB: please ignore page number references

| Early Help | Letters/Forms | To | Responsible |
|---|--|---------------------------|----------------------------|
| Letter 1 (Pg 21) | Lateness letter | Parent | School |
| Letter 2 (Pg 22) | Under% letter | Parent | School |
| Letter 3 (Pg 23) | Contact letter | Parent | School |
| Formal Attendance Procedure ('Fast track') | Letters/Forms | To | Responsible |
| Leg 1, Leg 1a (Pg 25,26) Information for Parents/Carers–Rights and Responsibilities (Appendix 2) | Initial Warning Letter Flowchart/Information for Parents/Carers | Parent | School |
| Leg 2 (Pg 27) | Attendance unsatisfactory Invite to Attendance Panel Meeting | Parent/ other agencies | School |
| Leg 3 (Pg 28,29) | Attendance Panel Meeting Pro forma | Parent/School | School, other attendees |
| Leg 4 (Pg 30) | Letter and Notes of Meeting | Parent | School |
| Leg 5 (Pg 31) | Failure to attend Panel Meeting | Parent | School |

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| Formal Attendance Procedure ('Fast track') Cont..... | Letters/Forms | To | Responsible |
|--|---|---------------|-------------|
| Leg 6 (Pg 32) | Required level of attendance achieved – monitor | Parent | School |
| Leg 7 (Pg 33) | Letter of Invite to PACE Formal Caution Interview/LA Panel Meeting | Parent | LA |
| Leg 8 (Pg 34-37) | Transcript of PACE Formal Caution Interview/LA Panel Meeting | Parent/School | LA |
| Leg 9 (Pg 38) | Letter of decision from PACE Formal Caution Interview/LA Panel Meeting | Parent/School | LA |
| Leg 10 (Pg 39) | Certificate of Attendance – long term | LA | School |
| Leg 11 (Pg 40) | Model Witness Statement | LA | School |
| Leg 12 (Pg 41 -43) | LA/C&F Consultation | CSC | LA |
| Leg 13 (Pg 44,45) | School Report for Education Supervision Order | LA | School |
| Leg 14 (Pg 46-47) | Certificate of Absence for Education Supervision Order | LA | School |

Letter 1

Date:

Dear Mr/Mrs/Ms

Name:

D.o.b:

School:

Please find enclosed a copy of your child's registration certificate. There are concerns regarding the amount of times your child is registered as late for school.

Please note that arrival after the close of registration (time) is classed as an unauthorised absence. Under the Education (Pupil Registration) (England) Regulations 2006 these absences could be used as evidence against you if legal action were to be considered by the Local Authority under Section 444 of the Education Act 1996.

National statistics show that poor time keeping seriously affects a young person's chance of achieving their full potential. Arriving late may mean that your child misses important instructions for the day and can lead to feelings of isolation and disengagement from learning.

I hope that you will make the necessary arrangements to ensure that your child arrives at school on time in the future.

Yours sincerely,

School Staff

Letter 2

Date:

Dear Mr/Mrs/Ms

Name :
School :

D.o.b:

I wish to draw your attention to the enclosed registration certificate for your child. He/she has only achieved % attendance so far this academic year. As an acceptable level of attendance is a minimum of%,(school target) the school are concerned about this level of absence.

Irregular school attendance may have a serious impact on your child's academic progress if it is allowed to continue and you as parent are legally responsible to ensure that his/her regular and punctual attendance is maintained.

We understand there may at times be unavoidable and genuine reasons for your child's absence. The school should be informed of this as soon as possible.

However, if your child continues to have absences from school, you may be requested to provide medical or other evidence before any further absence can be authorised. Medical evidence should be in the form of a doctor's note, appointment card or prescription.

Should you have any queries, or require further support, please do not hesitate to contact me on the above telephone number.

Yours sincerely,

School Staff

Letter 3

Date:

Dear Mr/Mrs/Ms

Name:

Dob:

School:

There are concerns regarding your child's attendance this current academic year, which currently stands at%. This level of attendance is below the threshold by which the Department for Education (DfE) defines a pupil as being a persistent absentee (90% and below). This can seriously affect your child's academic progress if allowed to continue.

All parents who have children of compulsory school age have a legal responsibility to ensure that they receive an efficient education.

Parents whose children are registered at this school are therefore responsible for ensuring that they attend regularly, punctually and stay in school during school hours. Failure to do so is an offence under Section 444 of the Education Act 1996.

I would like to meet with you to discuss this matter further and look at ways we can work together to improve the situation. Would you therefore please contact school on the above telephone number to arrange a mutually convenient time. Thank you.

Yours sincerely,

School staff

School/LA Formal Attendance Procedure - Fast track & legal outcomes (documents)

Leg 1

Your ref:

Our ref:

Date

Dear Mr/Mrs/Ms

Initial Warning Letter

Re:.....**D.o.b:**.....

School:.....

As your child's current attendance stands at%, (so far this academic year), it falls below the threshold of a persistent absentee as defined by the Department for Education (.....). The absences also include unauthorised absences under the Education (Pupil Registration) (England) Regulations 2006.

Your child's attendance will now be closely monitored by the school for the next 10 school days. Should 's attendance continue to be of concern it will become necessary to arrange an Attendance Panel Meeting, in accordance with the next stage of the formal School Attendance Procedures. You will be expected to attend this meeting, bringing your child with you, if requested.

Any further absence your child may have due to illness must now be supported by medical evidence before authorisation is possible by the school and it remains your responsibility to provide this evidence.

May I remind you that it is the legal duty of those with parental responsibility to secure the regular and punctual attendance of their child at school.

Failure to do so is an offence under the Education Act 1996 Section 444 (1) or (1A) and, following referral to the Local Authority for statutory intervention, may be dealt with by the following: a prosecution in a Magistrates Court, a Penalty Notice being issued of £80 if paid within 21 days rising to £160 if paid after 21 days but within 28 days (if the conditions of a 15 day Warning Letter are not adhered to), or an application made to the Family Courts for an Education Supervision Order under Section 36 of the Children Act 1989.

You will have the right to pursue your own legal representation regarding the above. Should you wish to discuss this matter further, please do not hesitate to contact me on the above telephone number.

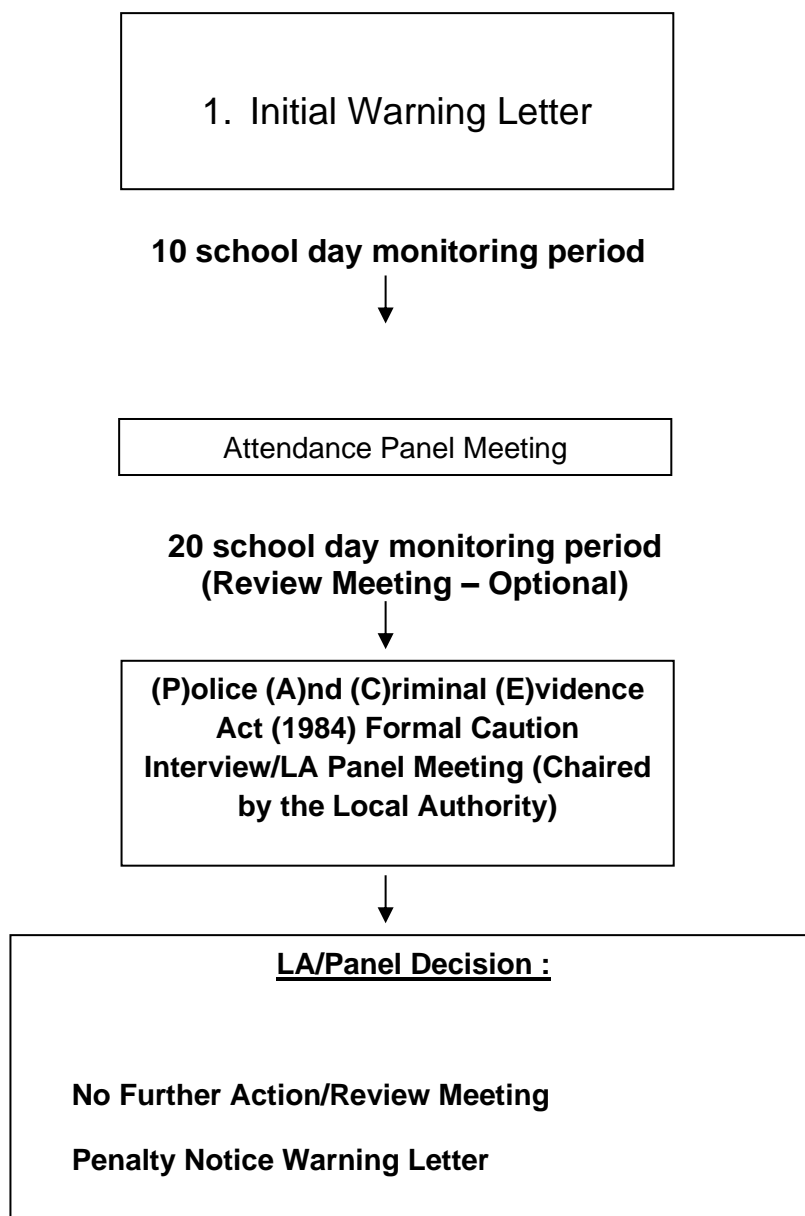
Yours sincerely,

Head teacher

Encl: Flowchart
Information for Parents – Rights and Responsibilities

Leg - 1a - Flow Chart of School/LA Attendance Procedure – Time restricted

The following procedure will be undertaken by the school and the LA should there be no significant improvement in your child's attendance and unauthorised absence continues to be recorded on the school register.



If at any stage in the above procedure your child's attendance improves significantly the school will not proceed to the following stage. (Normally...% (school target) and above during the monitoring period).

However, your child's attendance will continue to be monitored by the school and, should there at any time in the future become further concerns, the above procedure will be continued onto the next stage or recommenced from the first stage depending on the severity of the situation.

Leg 2

Your ref:

Our ref:

Date:

Dear Mr/Mrs/Ms,

•
Name:.....**D.o.b:**.....

•
•
School:.....

An Initial Warning letter was issued to you on..... Unfortunately, the attendance of your child continues to be unsatisfactory despite this and other numerous contacts made with you by school support staff and/or other agencies.

It is now necessary to arrange an **Attendance Panel Meeting** to be held at **School, on at**in accordance with the School Attendance Procedures. Would you please bring.....with you to the meeting or if in school he/she will be asked to join us (*if appropriate*).

It must be emphasised again that it is the duty of those with parental responsibility to secure the regular attendance of their children at school. Failure to do so is an offence under Section 444 (1) or (1A) of the Education Act 1996.

If you are unable to attend the meeting, please contact the school direct, to discuss an alternative time. If you fail to attend, and do not provide a reason, then this may be used as evidence of your unwillingness to cooperate and the meeting may go ahead in your absence. You may wish to pursue your own legal representation with regard to any of the above proceedings.

Yours sincerely

Head teacher

Leg 3

**ATTENDANCE PANEL MEETING
Parenting Contract/Support plan**

NAME OF SCHOOL:

PANEL MEETING HELD ON:

PUPIL NAME:

D.O.B:

ADDRESS:

(CHAIR):

PRESENT:

DETAILS OF PARENT(S):

**Full names and d.o.b.
of parent/carer(s):**

Parent i)

D.o.b:

Parent ii)

D.o.b:

AWARE OF PARENTAL RESPONSIBILITY/ENFORCEMENT PROCESS: YES/NO

ATTENDANCE DETAILS:

Timescale :

Possible :

Authorised :

Actual :

Unauthorised :

Percentage Attendance = %

SUMMARY OF DISCUSSION:

Parenting Contract/Support Plan

| | Action Agreed | Who will carry out the action | By When |
|---|---|---|-----------------------------------|
| 1 | <u>To achieve% attendance</u> during the four week monitoring period following the meeting today (100% to be aimed for) | Parent / Child | Immediately |
| 2 | To notify school if child unable to attend / provide evidence to support future absences i.e. doctors appt. card / sight of medication with child's name and date, medical note | Parent to provide to school if child absent | For any future absences |
| 3 | To speak to designated member of school staff should there be any problems | Parent/Child Name of school contact..... | On going |
| 4 | Parent/Carer(s) to be available at appointment times agreed or make contact to re-arrange | Parent/Carer/Staff | As per arranged home/school visit |
| 5 | | | |
| 6 | | | |

Attendance target set:

%

Timescale:

Timescales and Outcomes: To be reviewed on

- If targets are met there will be a period of further monitoring for six school weeks
- If targets are not met then, depending on the level of progress made, either a Review Meeting will be held or a Pace Formal Caution Interview will be arranged by the Local Authority

Signed :.....(Parent/Carer)

Signed :.....(Parent/Carer)

Signed :.....(Student)

Signed:.....(School)

Signed:.....(other agency)

Leg 4

Your ref:

Our ref:

Date:

Dear Mr/Mrs/Ms

Name of child :

Dob :

School :

Thank you for attending the Attendance Panel Meeting held on

.....at.....

Please read the enclosed copy of the notes of the meeting. It is important that you adhere to the actions agreed by yourself and the school in order to maintain an improved attendance for.....

The situation will be reviewed on.....

If you wish to discuss any points arising from the notes or require further support, please do not hesitate to contact me on the above telephone number.

Yours sincerely,

Head teacher

Leg 5

Your ref:

Our ref:

Date:

Dear Mr/Mrs/Ms

Attendance Panel Meeting held on

Name of Pupil.....Dob.....

Registered Pupil atSchool

You were invited to an Attendance Panel Meeting held on to discuss the unsatisfactory attendance of your child at the above school.

Unfortunately you failed to attend and, as no acceptable reason was offered by you, the meeting went ahead in your absence. Enclosed is a copy of the notes made at that meeting including information about the extent of your child's absences and a Parenting Contract/Support Plan which you are requested to sign and return if in agreement.

I have to advise you that under the Education Act 1996 parents have a duty to ensure that their child/ren attend school regularly and punctually. Failure to do so may result in the Local Authority taking legal proceedings against you. This could be in the form of an Education Supervision Order, Penalty Notice or pursuing a Prosecution in the Magistrates Courts under Section 444 (1) or (1A) of the Education Act.

You should be aware that if your child's level of attendance at this school continues to be unsatisfactory, you do not keep arranged appointments with the school or fail to engage in any of the support agreed, the matter may be referred to the Local Authority and progressed to a **Pace Formal Caution Interview/LA Panel Meeting** without delay.

Yours sincerely

Head teacher

Leg 6

Your ref:

Our ref:

Date:

Dear Mr/Mrs/Ms

-
-
-
-
-
-

Child:

D.o.b:

School:

There have been serious concerns regarding’s attendance atschool which initiated the formal School Attendance Procedure being commenced.

As part of this procedure an Attendance Panel Meeting was held in school on Following that meeting you were required to ensure that your child reached a minimum of% attendance for the following 20 school days.

I am pleased to inform you thathas achieved the appropriate level of attendance for the recommended time period therefore no further formal action will be taken at this time.

Please note, your child’s attendance will continue to be closely monitored in school. If should have further unauthorised absences, this may lead to the Formal Attendance Procedure being recommenced. Further support can be made available to you if required.

I would like to take this opportunity to thank you for your co-operation in this matter.

Yours sincerely

Head teacher

Leg 7

Date:

Dear Mr/Mrs/Ms

Re:**Dob:**.....

School:.....

Pace Formal Caution Interview/LA Panel Meeting – INVITATION TO ATTEND

You were invited to attend an Attendance Panel Meeting/Review Meeting arranged by the above school on the..... Unfortunately your child's attendance has not improved to the required satisfactory level agreed at that meeting.

As a consequence, and in accordance with its statutory duties, it is now necessary for the Local Authority to invite you to a Pace Formal Caution Interview/LA Panel Meeting. The purpose of this interview is to give you an opportunity to offer any reasons to justify or explain why you have not ensured an improvement in your child's attendance.

at.....**on**.....**at**.....

(Temporary)

The meeting will be Covid-19 secure and held in accordance with the school's Covid-19 Risk Assessment which you will be required to read prior to the meeting.

As the Local Authority is now contemplating taking legal action against you, this Interview will be conducted under the terms prescribed by the Police and Criminal Evidence Act (1984) and you will be formally cautioned as follows: 'You do not have to say anything but it may harm your defence if you do not mention when questioned something which you may later rely on in court. Anything you do say may be given in evidence'.

You have the right to seek legal advice prior to this interview or request an interpreter or appropriate adult to attend with you.

We urge you to attend the meeting. If you are not present, and you have not provided the authority with a reasonable explanation as to why you cannot attend, the meeting may still take place and a decision from the following will be made in your absence; no further action taken at this time/Review Meeting to be arranged, a Penalty Notice Warning Letter to be issued, an Education Supervision Order pursued through the Family Court or a Prosecution through the Magistrates Court commenced under the Education Act 1996 Section 444 (1) or (1A).

If the stated date or time is not convenient, or you are unable to attend, it is important you contact me on the above telephone number as soon as possible so alternative arrangements can be made.

Yours sincerely,

Attendance and Enforcement Officer

North Yorkshire Local Authority

POLICE AND CRIMINAL EVIDENCE
FORMAL CAUTION INTERVIEW/LA PANEL MEETING

| | |
|-------------------------------|--|
| Child's Name : | |
| D.o.b. | |
| Address: | |
| Tel : | |
| Meeting held on : | |
| at: | |
| Present: | |
| Parents's/Carer's d.o.b: | |
| Occupation: | |
| Chair: | |
| Note taker/Witness: | |
| Others present: | |
| Interview/Meeting Start Time: | |

1. CHAIR: I wish to put to you some questions under S.444 of the Education Act 1996 in respect of attendance atschool between theand.....
Delivery of Caution "You do not have to say anything, but it may harm your defence if you do not mention, when questioned, something you may later rely on in court. Anything you do say may be given in evidence."
Do you understand the words of the Caution?

RESPONSE:

2. CHAIR: You are not under arrest and are free to leave at any time. You have a right to be legally represented. I note you are not. Are you happy to proceed?

RESPONSE:

3. CHAIR: What is your relationship to ?
RESPONSE:

4. CHAIR: Does live with you at If not, where does he/she live and with whom?
What is your contact with _____)?
RESPONSE:

5. CHAIR: Is the distance from home to school more than 2 miles (child 7 years and under) or 3 miles (for a child of 8 years and over)?

If yes, is the school one you have elected for by way of parental preference?

Or if not, is transport provided by the LA?
RESPONSE

6 (a) CHAR: You attended an Attendance Panel Meeting held on _____.

Were you happy to sign the notes of the meeting to confirm them as a true record? OR If not, please give reasons and state why you did not raise these issues earlier.

RESPONSE:

OR

6(b) CHAIR: You did not attend an Attendance Panel Meeting arranged at _____ on _____ and the school received no apologies. Why was this?

RESPONSE:

7. CHAIR:’s attendance for the period under review currently stands at% with..... unauthorised sessions out of ...
..... possible attendances.

Are you aware your child has not been attending school? YES/NO
IF NO: Why not? / IF YES: What have you done to address this?

RESPONSE:

8. CHAIR:

- Has your child been prevented from attending school on medical grounds during any of the days during the period under review? YES/NO
IF YES

a) What medical evidence have you provided to the school to confirm their unfitness to attend?
and

- b) Do you have any other medical evidence in respect of these absences that you have not presented to the school.

RESPONSE:

9. CHAIR:

Have any of the absences during this period related to religious observance? If so, please specify dates and reasons.

RESPONSE:

10. CHAIR:

Has bullying ever been a reason for non-attendance during this period? If so, what have you done about it?

RESPONSE:

11. CHAIR:

Are there any Special Educational Needs which prevent your child attending regularly? If so, what have you done about it ?

RESPONSE

12. CHAIR:

Are any other agencies/workers involved with you in respect of your child. If so, who are they and what work are they undertaking?

RESPONSE:

13. CHAIR:

Is there anything further you wish to say regarding’s unauthorised absence from school.

RESPONSE:

The Local Authority will now be considering which option available to them is most appropriate in your case. No further action/Review Meeting, a Penalty Notice Warning Letter, an application for an Education Supervision Order, or a Prosecution under Section 444 1/1A of the Education Act 1996.

| | |
|------------------------|--|
| Interview Finish Time: | |
|------------------------|--|

I DECLARE that the above notes are a true and accurate record of this meeting and fully understand the implications of this meeting. I have been informed that I can ask for legal advice from a solicitor and I confirm that the procedure has been explained to me.

Signed _____ Parent/Carer Dated _____

Signed _____ Parent/Carer Dated _____

Signed _____ Chair Dated _____

I DECLARE that I was present at the above meeting as a witness and note taker.

Signed _____ Dated _____

Designation.....

Decision:

| | | |
|--|--|--------------------------|
| EITHER | | |
| No further action/Review Meeting | | <input type="checkbox"/> |
| Education Supervision Order | | <input type="checkbox"/> |
| Penalty Notice Warning letter | | <input type="checkbox"/> |
| Prosecution of Parent(s)/Carer(s)* Section 444 (1) or (1A) | | <input type="checkbox"/> |
| <u>Summary of discussion points relating to decision made above:</u> (this must include reasons for decision taken, in particular if an ESO is not felt appropriate please summarise reasons why in detail) | | |
| | | |

Name of Attendance and Enforcement Officer: _____

Signed: _____ Date: ____/____/____

Leg 9

Your ref:

Our ref:

Date:

• Dear Mr/Mrs/Ms

• **Pace Formal Caution Interview/LA Panel Meeting**

Child :

• **School :**

A Pace Formal Caution Interview/LA Panel Meeting was held on to consider the attendance ofat.....between..... 200.. and 200...

or

It is unfortunate that you did not attend the Interview to consider the attendance of at between.....20...and 20... Had you attended you would have had the opportunity to put forward any mitigating circumstances that you could have then presented as your defence in Court. As you did not provide a reason as to why you did not attend, the LA Panel Meeting was held in your absence.

The decision made at the LA Panel Meeting is as follows :

- no further action is to be taken at this point
- an Education Supervision Order is to be pursued
- a Penalty Notice Warning Letter is to be issued
- the case is to be referred for legal proceedings under Section 444 (1) or (1A) of the Education Act 1996 to be instigated against you in relation to your child's attendance between the above dates. (*this can include a request for an 'ancillary' Parenting Order*)

(delete as appropriate)

.....'s attendance will be closely monitored for a further 6 school weeks and support will continue to be offered to assist you*.

Please note that it remains your legal responsibility to ensure that your child continues to attend school regularly and punctually. Failure to do so could result in a further offence being committed. The court will be informed of any actions that you have taken to improve your child's attendance.

If you have any queries please do not hesitate to contact me onor school directly.

Yours sincerely

Attendance and Enforcement Officer
North Yorkshire County Council

CERTIFICATE OF ATTENDANCE

Section 444 Education Act 1996

This form is to be completed by the Head teacher. It will be used in legal action under the above Act relating to the irregular school attendance of a registered pupil at the school.

I certify that..... date of birth..... is a registered pupil of compulsory school age, on roll at..... school and that they had unauthorised absence from school on or between the.....to.....

| | | | | | | | | | | | | | | | | |
|------------------------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|---------------|
| Week beginning: | | | | | | | | | | | | | | | | Totals |
| Possible number ½ days | | | | | | | | | | | | | | | | |
| Actual attendance | | | | | | | | | | | | | | | | |
| Unauthorised Absence | | | | | | | | | | | | | | | | |
| Authorised | | | | | | | | | | | | | | | | |

To the best of my knowledge, the person(s) with parental responsibility for this pupil are:

1. First Name Surname Address
2. First Name Surname Address

Declaration

I am the Head teacher of the school named. I hereby certify that the information given in this form is true to the best of my knowledge. The information has been extracted from the school's register of attendance which can be made available to confirm it is an accurate record.

Dated this.....day of..... 20...

Signature.....Name (printed).....

Leg 11 - Model Witness Statement

Statement of Witness

(Criminal Justice Act 1967, S.9; Magistrates Courts Act 1980, Ss5A(3)(a) and 5B; Criminal Procedures Rules 2010, Rule 27.1)

Statement of:

Occupation of witness:

Age of witness (if over 21 enter "over 21"): **OVER 21**

School Address:

This statement consisting of ... page(s) and corresponding exhibit(s) signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the Day of 200.. Signed

..... age Years (d.o.b.....) is a registered pupil at school and is the child ofwho resides with him/her at.....

Between and, attended school on only sessions out of a possiblesessions. This equates to only% attendance. Under the Education (Pupil Registration) (England) Regulations Act 2006, of these absences are considered to be unauthorised. A copy of the Certificate of Absence is included (Exh 1).

..... was referred to due to concerns over his/her attendance. I have personally visited the home on occasions. I was unable to get a reply on occasions so I left calling cards, at the home highlighting the reason for my visit and asking for to contact me / spoke to Mr/Mrs/Ms..... during of the home visits. I was informed that the reasons why has not been attending school are..... / I was not offered any explanation as to why was not attending school. I have had no contact from Mr / Mrs

A letter was sent to detailing concerns over attendance on I received no contact to discuss attendance and there was no significant improvement so on An Initial Warning Letter was sent on.....(Exh 2).

..... attendance did not improve, therefore I invited Mr/Mrs/Ms to attend an Attendance Panel Meeting in school where a plan was drawn up to help with attendance. (Refer to points in plan e.g did parent/carer(s) attend?, did parents/child adhere to recommendations of the plan? was parent home at time of appointed home visits? what was discussed). Despite the strategies put in place and agreed to, (including following the Ladder of Intervention, completion of an Early Help Assessment, support from the Early Help Team and/or other agencies including a TAF Meeting ?) there was still no significant improvement in attendance. The matter was referred to the Local Authority and a Pace Formal Caution Interview was subsequently held in school on the It was decided that the matter would be brought before the magistrates courts with regard to’s unauthorised absence. Mr/Mrs/Ms has continued to fail to ensure’s regular attendance to date.

Signed.....dated.....

Leg 12 - Education/CSC Consultation - Education Supervision Order

NORTH YORKSHIRE COUNTY COUNCIL

EDUCATION SUPERVISION ORDER

**Education and Children's Social Care Consultation Paper:
S36(8) Children Act 1989**

1. THE CHILD

Date of Birth:

Surname:

Forename(s):

Address:

School:

Religion:

2. PERSON(S) WITH PARENTAL RESPONSIBILITY

Surname:

Forename:

Address:

Relationship to Child:

Occupation:

Surname:

Forename:

Address:

Relationship to Child:

Occupation:

3. **OTHER SIBLINGS OF COMPULSORY SCHOOL AGE**

| <u>NAME</u> | <u>D.O.B.</u> | <u>SCHOOL</u> |
|--------------------|----------------------|----------------------|
|--------------------|----------------------|----------------------|

4. **ALL OTHER SIBLINGS**

| <u>NAME</u> | <u>D.O.B.</u> | <u>SCHOOL</u> |
|--------------------|----------------------|----------------------|
|--------------------|----------------------|----------------------|

5. **OTHER AGENCIES INVOLVED WITH NAME OF CONTACT**

| <u>AGENCY</u> | Tick if appropriate | <u>Name</u> |
|----------------------|----------------------------|--------------------|
|----------------------|----------------------------|--------------------|

Children & Families:

Probation:

Housing:

Health:

School:

6. **RECORD OF ATTENDANCE OVER 12 SCHOOL WEEKS**

From : To:

Actual: Authorised:

Possible: Unauthorised:

7. **REASONS GIVEN FOR NON-ATTENDANCE**

| | | |
|-----|-------------------------------------|--------|
| (a) | Medical | YES/NO |
| | Has a doctor been consulted? | YES/NO |
| (b) | School Refusal | YES/NO |
| (c) | Truancy | YES/NO |
| (d) | Racial religious or cultural reason | YES/NO |
| (e) | Level of parental involvement | YES/NO |
| (f) | Any other? | |

8. **WHAT ARE THE CHILD'S VIEWS ABOUT THE NON-SCHOOL ATTENDANCE?**

9. **WHAT ARE THE VIEWS OF THE PERSONS WITH PARENTAL RESPONSIBILITY?**

10. **WHAT HAS BEEN OFFERED TO ENCOURAGE THE CHILD TO ATTEND SCHOOL**

11. **ARE THE PARENTS IN AGREEMENT WITH AN EDUCATION SUPERVISION ORDER?**

YES/NO

12. **ANY OTHER COMMENTS**

Signed:

Dated:

TO B

O TO BE COMPLETED BY Children's Social Care

Is the family known? YES/NO

Is the child known? YES/NO

ANY RELEVANT INFORMATION:

ANY COMMENTS ON THE PROPOSED COURSE OF ACTION:

Signed:

Designation:

Leg 13 - School Report - Education Supervision Order

SCHOOL REPORT

SCHOOL:

Case No.

Statement of

This is the statement of _____ in the employ ofSchool. I make this statement believing the contents to be true and understand that it will be placed before the Court.

Signed:

EDUCATION SUPERVISION ORDER

SCHOOL REPORT

Schools should be aware that a member of school staff can be subpoenaed to appear in court to answer questions on the report given if the magistrates deem this necessary before they decide to grant an Education Supervision Order.

What to include in the report:

- 1) The child's educational needs: explain what they are.
- 2) Assessment in detail of where the child is educationally at the present time.
- 3) How are the school meeting the child's needs now and in the future.
- 4) Child's strengths, weaknesses and their character.
- 5) Any positive points.
- 6) Comment on how non-attendance is affecting the child's education.
- 7) Behaviour can be commented on, e.g. how difficult it is for the school to meet the child's needs.
- 8) Ensure there is no 'Hearsay' in the report.
- 9) Detail any formal involvement and commitment the school may have in the plan of intended intervention.

Leg 14 - Certificate of Attendance - Education Supervision Order

CERTIFICATE OF ATTENDANCE

In the Family Proceedings Court

In the matter of (a minor)

Case No.

This is the statement of

I am in the employment ofSchool. I make this statement believing the contents to be true and understand that it will be placed before the Court.

I HEREBY CERTIFY that

Child of

Residing at

aged

**was on the Register of the above school; and that between the
to ; during which period (s)he might have attended sessions
(s)he was present sessions, and absent sessions.**

Signed:

Dated this day of

NORTH YORKSHIRE COUNTY COUNCIL

| | |
|------------------------------------|-----------------------|
| Name of child: | Date of Birth: |
| School at which registered: | |

Certificate of Attendance

| | | | | | | | | | | | |
|----------------------------------|--|--|--|--|--|--|--|--|--|--|--|
| Week ending | | | | | | | | | | | |
| Possible number of ½ days | | | | | | | | | | | |
| Actual attendance | | | | | | | | | | | |
| Unauthorised absence | | | | | | | | | | | |
| Authorised absence | | | | | | | | | | | |

I, hereby certify that this is true record of the register ofattendance.

FURTHER REMARKS

Signed: (Head teacher)

..... School

Penalty Notices (documents)

Index – Penalty Notices

Index of documents – Penalty Notices for irregular attendance, unauthorised leave of absence and a child being seen in a public place, without justification, during school hours in the first five days of an exclusion

| Penalty Notices | Letters/Forms | To | Responsible |
|------------------------|--|------------|--------------------|
| PN 1 (Pg 50) | 15 Day Penalty Notice Warning Letter (Fast track only) | Parent | LA |
| PN 2 (Pg 51) | Certificate of Attendance – Penalty Notice – long term poor attendance (Fast track only) | LA | School |
| PN 3 (Pg 52) | Model Witness Statement – Penalty Notice – Long term poor attendance | LA | School |
| PN 4 (Pg 53,54) | Application for Leave of Absence in exceptional circumstances | Parent/ LA | School |
| PN 5 (Pg 55) | Letter – not authorising Leave of Absence | Parent/LA | School |
| PN 6 (Pg 56) | Letter – authorising Leave of Absence | Parent | School |
| PN 7 (Pg 57) | Certificate of Attendance – Unauthorised Leave of Absence | LA | School |
| PN 8 (Pg 58) | Model Witness Statement - Penalty Notice – unauthorised Leave of Absence | LA | School |
| PN 9 (Pg 59) | Model Witness Statement – found in a public place (first five days of exclusion) | LA | School |

PN 1 – Penalty Notice Warning Letter

PENALTY NOTICE WARNING LETTER

Child: _____ **Dob:** _____
Parent: _____
Address: _____

Under Section 7 of the Education Act 1996 it is the duty of all parents to ensure their children receive an efficient, full time education. This letter is issued under the terms of North Yorkshire County Council Local Authority's Code of Conduct for the use of Penalty Notices.

I must draw to your attention that has been recorded as having..... sessions (half school days) lost to unauthorised absence since the at **School.**

This letter formally warns you that if has any unauthorised absence during the next 15 school days, you will be issued with a Penalty Notice for £80.00 if paid within 21 days, rising to £160.00 if paid after 21 days but within 28 days. **The 15 day period will commence on.....**

If a Penalty Notice is issued, and you fail to pay, you will then be prosecuted in a Magistrates' Court for the offence of failing to ensure your child's regular attendance at the above school.

The school will not authorise future absences unless you provide medical evidence. Please contact me if you wish to discuss the contents of this letter.

Attendance and Enforcement Officer
North Yorkshire County Council

Date issued:

PENALTY NOTICE CERTIFICATE OF ATTENDANCE

Section 444 Education Act 1996

This form is to be completed by the Head teacher. It will be used in legal action under the above Act relating to non-school attendance of a registered pupil at the school.

I certify that..... date of birth.....is a registered pupil of compulsory school age, on roll at and that they had unauthorised absence from school on or between.....to..... for a reason that comes within North Yorkshire's Code of Conduct for Penalty Notices.

| | | | | | | | | | | | | | | | | |
|-------------------------------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|---------------|
| Week beginning: | | | | | | | | | | | | | | | | Totals |
| Possible number ½ days | | | | | | | | | | | | | | | | |
| Actual attendance | | | | | | | | | | | | | | | | |
| Unauthorised Absence | | | | | | | | | | | | | | | | |
| Authorised | | | | | | | | | | | | | | | | |

To the best of my knowledge, the person(s) with parental responsibility for this pupil are:

1. First Name Surname Address
2. First Name Surname Address

Declaration

I am the Head teacher of the school named. I hereby certify that the information given in this form is true to the best of my knowledge. The information has been extracted from the school's register of attendance which can be made available to confirm it is an accurate record.

Dated this.....day of..... 20...

Signature.....Name (printed).....

PN 3 - Model Witness Statement (Unpaid PN for long term irregular attendance)

Statement of Witness

(Criminal Justice Act 1967, S.9; Magistrates Courts Act 1980, Ss5A(3)(a) and 5B; Criminal Procedures Rules 2010, Rule 27.1)

Statement of:

Occupation of witness:

Age of witness (if over 21 enter "over 21"): **OVER 21**

School Address:

This statement consisting of ... page(s) and corresponding exhibit(s) signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the Day of **200..** Signed

..... d.o.b. (.yrs) is a registered pupil at ... school and is the child ofwho resides with him/her at.....

Between and, attended school on only sessions out of a possiblesessions. This equates to only% attendance. Under the Education (Pupil Registration) (England) Regulations Act 2006, of these absences are considered to be unauthorised. The Penalty Notice Certificate of Absence is included.

..... was referred to ... due to concerns over his/her attendance. I have personally visited the home on occasions. I was unable to get a reply on occasions so I left contact cards, at the home highlighting the reason for my visit and asking for.. to contact me / spoke to Mr/Mrs..... during of the home visits. I was informed that the reasons why has not been attending school are.. / I was not offered any explanation as to why ... was not attending school. I have had no contact from Mr / Mrs

A letter was sent to detailing concerns over attendance on .. . I received no contact to discuss .. attendance and there was no significant improvement so on .. an Initial Warning Letter was issued on. attendance did not improve, therefore I invited Mr / Mrs to attend an Attendance Panel Meeting in school where a plan could be drawn up to help with..... attendance. (Refer to points in plan, did parents attend?, did parents/child adhere to points in plan? was parent home at time of appointed home visits? what was discussed).

Despite the strategies put in place, and agreed to, including support from(Ladder of Intervention, Locality Hubs, Early Help Assessment,TAF, referral to Children & Families, other agencies, Mr/Mrs continued to fail to ensure....'s .regular attendance. Subsequently A Pace Formal Caution Interview was arranged in school by the Local Authority on.... . The decision of the meeting was that a Penalty Notice Warning Letter would be issued. Ashad further unauthorised absences within the 15 day warning period a Penalty Notice was subsequently issued by the LA. Despite reminder letters being sent the fine has remained unpaid to date therefore the matter is now being brought before the court with regard to the unauthorised absence.

Signed.....dated.....

PN 4

APPLICATION FOR PUPIL LEAVE OF ABSENCE IN EXCEPTIONAL CIRCUMSTANCES DURING TERM TIME

This form should be completed by the parent/carers and returned to the school as far in advance as possible and preferably at least **6 weeks** before the first date of the period of leave being requested. Parents/carers must obtain the schools permission **before making any arrangements for leave in exceptional circumstances, otherwise the absence will be recorded as unauthorised.**

No parent/carers can demand leave of absence as of right. The Education regulations state that applications for leave must be made in advance by a parent with whom the child lives and can only be authorised by the school in exceptional circumstances. Each application is considered individually by the school. The following are examples of the criteria for leave of absence, which may be considered as 'exceptional':

- Service personnel returning from active deployment
- Where inflexibility of the parents' leave or working arrangement is part of the organisational or company policy. This would need to be evidenced by the production or confirmation from the organisation/company
- Where leave is recommended as part of a parents' or child's rehabilitation from medical or emotional problems. Evidence must be provided
- When a family needs to spend time together to support each other during or after a crisis

Please note: Head teachers would not be expected to class any term time holiday as exceptional

This is not an exhaustive list and Head teachers must consider the individual circumstances of each case when making a decision on this matter. Where a Head teacher feels that there may be exceptional circumstances which do not fit the criteria, they may refer to the local authority for advice. The decision of the Head teacher is final. Parents who take a child on leave in term time without the permission of the school risk being issued with a penalty notice fine for unauthorised absences.

Taking a pupil on leave during term time interrupts teaching and learning and can disrupt educational progress. Before completing this application form parent/carers are asked to consider the effect on their child's continuity of education.

Date reply returned to parent (s).....

PN 5

Letter not authorising leave of absence.

Dear (*insert full name of parent/carer(s)*)

Refusal for exceptional leave in term-time.

I have considered carefully your request for leave in term-time and on this occasion I will not be authorising your child(ren)'s absence.

This is because (*insert reason*)

If your child(ren) do not attend school during the dates you requested (*insert dates*) the absence will be recorded as unauthorised and a request to issue you with a Penalty Notice will be made to the local authority

OR

If your child(ren) do not attend school during the dates you requested (insert dates) the absence will be recorded as unauthorised. As the unauthorised leave does not amount to 10 sessions or more, a request to the Local Authority to issue a Penalty Notice will not be made at this time.

However, please note, that if further leave of absence is taken without the agreement of the school, and amounts to 10 sessions or more over a period of 4 months, inclusive of the current request, this can result in a Penalty Notice being requested.

A Penalty Notice is a fine of £80, if paid within the first 21 days of issue, which rises to £160 if paid after 21 days but within 28 days. The Local Authority will consider taking legal action if the Penalty Notice is not paid after 28 days of the date of issue.

Legal action may result in a fine of up to £1,000 and a criminal record for each parent/carer.

A copy of this letter will be placed on your child(ren)'s school file.

Yours sincerely,

Head teacher

PN 6

Authorising leave of absence

Dear (*insert full name of parent/carer*)

Re: Request for exceptional leave in term-time.

I have considered your request for leave of absence in term-time and I have agreed to grant permission on this occasion.

Your child(ren) (*insert names and dates of birth of pupil(s)*) *will be marked as authorised absence from(insert dates)*. He/she/they are expected to return to school on (*insert date of return*).

Please note, any further absence taken without permission beyond these dates will be recorded as unauthorised absence and could result in a penalty notice being requested from the Local Authority. Your child's school place could be at risk if he/she does not return to school up to 20 days after the agreed date of return. This would be following reasonable enquiries being made regarding your whereabouts.

A copy of this letter will be placed on your child(ren)'s school file.

Yours sincerely,

Headteacher

PN 7 – Cert of Attendance (unpaid penalty notice for unauthorised leave of absence (holiday) in term time)

**PENALTY NOTICE
CERTIFICATE OF ATTENDANCE
(UNAUTHORISED LEAVE OF ABSENCE)**

Section 444 Education Act 1996

This form is to be completed by the Headteacher. It will be used in legal action under the above Act relating to non-school attendance of a registered pupil at the school.

I certify that date of birth..... is a registered pupil of compulsory school age, on roll at School and that they had unauthorised absence from school on or between.....to.... for a reason that comes within North Yorkshire's Code of Conduct for Penalty Notices for Un agreed Leave of Absence in exceptional circumstances.

| | | | | | | | | | | | | | | | | |
|-------------------------------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|---------------|
| Week beginning: | | | | | | | | | | | | | | | | Totals |
| Possible number ½ days | | | | | | | | | | | | | | | | |
| Actual attendance | | | | | | | | | | | | | | | | |
| Unauthorised Absence | | | | | | | | | | | | | | | | |
| Authorised | | | | | | | | | | | | | | | | |

To the best of my knowledge, the person(s) with parental responsibility for this pupil are:

1. First Name Surname Address
2. First Name Surname Address

Declaration

I am the Head teacher of the school named. I hereby certify that the information given in this form is true to the best of my knowledge. The information has been extracted from the school's register of attendance which can be made available to confirm it is an accurate record.

Dated this.....day of..... 20...

Signature.....Name (printed).....

PN 8 - Model Witness Statement (Unpaid Penalty Notice - Unauthorised leave of absence (Holiday) in term time)

STATEMENT OF WITNESS

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedures Rules 2010 – Rule 27.1)

STATEMENT OF:

AGE OF WITNESS: OVER 21

OCCUPATION OF WITNESS: Head teacher

ADDRESS OF SCHOOL:

STATEMENT:

This statement (consisting of _ pages) signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

..... D.o.b.... (yrs), is a registered pupil atSchool and is of compulsory school age. He/she is the child of..... who resides with him at.....
.....was absent from school for sessions between and the All of these were unauthorised absences due the taking of un agreed Leave of Absence in term time. The Penalty Notice Certificate of Absence (Un agreed Leave), is included.

.....applied to the school for the Leave of Absence on the,.....giving the reason as due to a family holiday. The decision to authorise a leave of absence is entirely at the discretion of the Head teacher whose decision is final. A family holiday is not deemed by the school as an exceptional circumstance in accordance with the DfE Guidelines (August 2013) therefore the absence was unauthorised.

A letter of confirmation was sent to by 1st Class Post on the
However, despite parent(s) knowing that the absence had not been agreed by the school, was not in school on the dates stated. Contact was also not possible with the family despite a home visit and two telephone calls being made during the period in question.

Subsequently, the absence was recorded as unauthorised, and a request was made to North Yorkshire Local Authority to issue a Penalty Notice on the

(Optional statement – e.g.) Year 11 is one of the most important times in a child's education and absence affects teaching, learning and revision for important exams.

Signed.....dated

PN 9 - Model Witness Statement - Exclusion (found in a public place without justifiable reason during first five days)

STATEMENT OF WITNESS

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedures Rules 2010 – Rule 27.1)

STATEMENT OF:

AGE OF WITNESS: OVER 21

OCCUPATION OF WITNESS:

ADDRESS OF SCHOOL:

STATEMENT:

This statement (consisting of _ pages) signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

I am (full name) and I am employed by(Occupation). I have held this position since(date). One of my responsibilities is to(brief description).

.....(Name of child), D.o.b, is a registered pupil at.....(school) and is of compulsory school age. He/she is the child of(name) and resides with her/him at.....(address).

On the(date),(Name of child) was in receipt of a Fixed Term/Permanent exclusion fromschool. Written notification of this was issued to parents/carers on.....(date). Within that notification it warned.....(Name of parents) that should(Name of child) be identified in a public place without reasonable justification during school hours between the dates of, then a Penalty Notice may be issued (Exh 1).

On(date) I identified(Name of child) as being in the skate park next to the school at.....(time) which was during school hours and between the dates pertaining to the first five days of the exclusion. Parents were contacted by.....(how contacted) on.....(date) but no justifiable reason was given to explain why(Name of child) was in a public place at that time.

Subsequently a request was made to the Local Authority to issue a Penalty Notice on.....(date).

Signed.....dated.....

Further information can be found on the CYPInfo website – School Attendance

Please contact:

Mrs Julie Parrish (Attendance and Enforcement Officer)

Tel: 01609 798013/ 07772096982 or e-mail: julie.parrish@northyorks.gov.uk

Kate Flinton (Attendance and Enforcement Officer – Scarborough, Filey, Whitby and Ryedale areas only)

Tel: 01609 797232/07794072363 or e-mail: kate.flinton@northyorks.gov.uk

Or your area:

Early Help Consultant

Locality Hub Manager

EHE Advisor

Sept 2021