The Loyne Specialist School

Whole School Attendance Policy

Agreed by Governing Board on 16th October 2026

Policy will be reviewed by November 2027

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This policy should be read in conjunction with the Safeguarding and Child Protection Policy, Supplementary Guidance for non – curriculum policies document (covering Philosophy & Ethos; Audience, Monitoring & Evaluation; Supporting Learning Beyond the School) The Curriculum, Planning, Assessment, Recording and Reporting Policy for Key stages 1-4, EYFS and FE (CPARR Policy); Children with health needs who cannot attend school policy; supporting pupils with medical conditions

Introduction

The Loyne Specialist School is a successful school and everyone plays their part in making it so. We aim for an environment which enables and encourages all members of the school community to work together and value achievement.

For your child to gain the greatest benefit from their education, we continue to expect and encourage regular attendance. Your child should be at school, on time, every day the school is open unless the reason for the absence is unavoidable. Any absence affects the pattern of a child's schooling and regular absence will seriously affect their learning. In addition, late arrival disrupts daily routines and teaching and so may affect the learning of others in the same class.

Whilst we recognise that pupils may have absences at times due to illness and other unavoidable causes, we aim to reduce unauthorised absence and to work with parents/carers and pupils to minimise absence where possible.

Throughout the school year, the attendance panel meet regularly to scrutinise the data for absences and punctuality, using the findings to ensure that school targets attendance improvement efforts to the pupils or pupil cohorts who need it most.

We know our pupils well and those with good attendance have greater opportunity to make better progress socially, learn to work with others, have full access to all planned programmes and are better placed for adulthood and a future placement beyond school.

It is very important therefore that you make sure that your child attends regularly and this policy sets out how together we will achieve this.

Ensuring your child's regular attendance at school is your legal responsibility and permitting absence from school without a good reason creates an offence in law and may result in prosecution. This policy will be applied fairly and consistently, and we will always consider the individual needs of pupils, and their families, who have specific barriers to attendance. It relates to all young people aged 4-19 in education in this setting.

Expectations of attendance for those students in our Further Education Department remain high and the triangulation between student, parent/carer and school is pivotal to this. The Pastoral Lead and Assistant Headteacher for Upper school will work alongside families and other professionals, taking into consideration the implications of the Mental Capacity Act, to ensure attendance levels meet school thresholds. Where young people fall below attendance expectations, it may be necessary to inform the local SEN office and hold an interim Review to discuss possible barriers and potential strategies.

Promoting Regular Attendance
Helping to create a pattern of regular attendance is everybody's responsibility - parents, carers, pupils and all members of school staff.

To help us all to focus on this we will:

- Promote a culture across the school which identifies the importance of regular and punctual attendance.
- Remind parents/carers at least annually of our attendance expectations through 'Our Approach to Attendance', which can be found on the school website, and the sharing of this policy once reviewed in the Autumn term.
- Celebrate good or improving attendance, where appropriate, by:
    - Celebratory certificates home from the Headteacher for all pupils who achieve 100% attendance for each half term and each term.
    - At the end of each academic year, all pupils with excellent attendance will receive an appropriate reward from the Headteacher
    - Positive discussion at annual review
    - A letter/phone call home where appropriate
- In line with statutory guidance, we will regularly inform parents/carers of their child's percentage attendance.
- Further develop positive and consistent communication between home and school. This work will also be supported by our Pastoral Lead who will liaise with families and ensure they have a regular and consistent point of contact in discussing attendance, associated concerns and agreed strategies.
- Make attendance and punctuality a priority for everyone associated with school, including parents/carers, pupils, staff and governors.
- Set targets, where appropriate, to improve individual pupil and whole-school attendance including frequent intrinsic motivators to encourage good attendance where required
- Carry out transition work with pupils moving to The Loyne Specialist School.

Roles and responsibilities for attendance matters in this school

Parents/Carers:
Parents and carers have a legal duty to ensure that their children attend school regularly, if they are of compulsory school age and registered at a school (see appendix for details of how the law applies to school attendance and how "parent" is defined in law).

Parents/carers should:

- Know the times the school day starts and finishes and when the register closes, the processes for requesting leave and the process for informing school of the reason for unexpected absence.
- Ensure that school has up-to-date contact information for themselves and any emergency contacts.
- Ensure their child attends regularly and punctually.
- Ensure their child has proactive home routines to provide them with enough sleep so that they are ready for the school day.
- Contact the school office before 9.00am on first day of any new absence, providing an expected return date and a follow up call if their child is not to

return on the expected date previously provided.
- Avoid any leave in term time but apply in advance using the 'Request for leave of absence' form if the reason for leave is unavoidable/exceptional.
- Attend meetings in school to discuss any attendance concerns.
- Participate in Attendance Contracts and/or Family Help and cooperate in support and interventions offered by school or other agencies where appropriate.

Due to their special educational needs, pupils are not deemed responsible for their overall school attendance. Most pupils are also dependent upon local authority dedicated transport to bring them to and from school and, in this circumstance, neither pupils or their parents/carers will be held responsible for punctuality provided they have placed their child on transport at the designated time. Those parents/carers who transport their child to and from school each day will be expected to ensure that their child arrives in time for the start of the school day.

Pupils (where possible):
- Acknowledge behaviour and appropriate preparation for adulthood needed out of school, e.g. early bedtime.
- Attend school/registration punctually.
- Speak to parents/carer/teacher if issues arise that may have an effect on school attendance.
- Cooperate and participate in interventions and support offered by school or other agencies.

Headteacher:
- Take the lead in ensuring attendance has a high profile at The Loyne including having overall responsibility for the strategic approach to attendance in school.
- Ensure there are designated staff with day-to-day responsibility for attendance matters and that adequate, protected time is allocated to discharge these responsibilities.
- Take overall responsibility for ensuring the school confirms to all statutory requirements in respect of attendance.
- Consider each request for leave against the school's criteria, decide whether some, all, or none of the leave will be authorised and notify parents/carers of this decision.
- Where there may be ambiguity regarding an absence, make the decision whether or not to authorise an absence or to request further evidence to support the decision-making process.
- Celebrate and reward excellent or improving attendance.
- Provide regular reports to the governing body on school attendance, including persistent absence and vulnerable groups.

Senior Attendance Champion:
- Take overall responsibility for championing and improving attendance in school, liaising with pupils, parents/carers and external agencies where needed.
- Set a clear vision for improving and maintaining good attendance.
- Establish and maintain effective systems for tackling absence and make sure they are followed by all staff.

- Have a comprehensive understanding of attendance data.
- Use attendance data to target attendance improvement efforts and support to the pupils or pupil cohorts who need it most.
- Regularly monitor and evaluate progress, including the efficiency of the school's strategies and processes.
- Regularly communicate pupil attendance and punctuality levels to parents.

Designated Staff:

- First day response: Contact parents/carers if a phone call has not been received by 9.00am. Initial contact is a text message which is sent by 9:30am requesting parents/carers to contact the office to provide a reason for their child's absence, which is then followed by a call at 10am if there is no response. Further contact is made to the emergency contacts if parents/carers cannot be reached by 10:30am, and the DSL is informed. All information is to be logged according on SIMS and on CPOMS if necessary.
- Input and update the attendance registers including any relevant comments surrounding absence/medical appointments etc on SIMS.
- Regularly monitor and analyse data to identify pupil, class and whole school attendance and punctuality levels, highlighting any attendance concerns with a view to target attendance improvement and support for those who need it most, particularly that of vulnerable groups.
- Discuss attendance concerns at an early stage with pupils, if appropriate, and parents/carers.
- Work with pupils and their parents/carers to remove barriers to regular and punctual attendance using Attendance Contracts where appropriate.
- Inform relevant staff members by email of daily pupil absence.
- Communicate pupil attendance and punctuality levels to parents/carers on a termly basis.
- Involve external agencies to support children and their parents/carers as appropriate to better understand and address the issues causing attendance concerns.
- Promote regular attendance through the school website, which has a page dedicated to attendance and contains a breadth of information, posts to Class Dojo Story, presenting 100% certificates in celebration assemblies and ensuring the school's attendance policy is readily accessible.
- Use projects and strategies to improve attendance and punctuality for groups, classes or the whole school (e.g. incentive and reward schemes, certificates, traffic light letters).

All School Staff:

- Provide a welcoming and inclusive atmosphere for pupils and provide a safe learning environment, particularly for those returning to school following a period of absence.
- To be aware of factors that can contribute to poor attendance and punctuality.
- To see pupils' attendance as the responsibility of **all** school staff, recognising that absence is a symptom of other issues impacting a pupil's welfare and can be a warning sign of safeguarding concerns.

- Participate in training regarding school systems and procedures and adhere to the procedures in place within school to promote good attendance.
- Promote the link between attendance and educational attainment to pupils and parents/carers.
- Complete attendance registers in accordance with the legislation and under the direction of the Headteacher.
- Raise any concerns about attendance with the Pastoral Lead or Headteacher/Senior Attendance Champion.

Governors:

- Ensure compliance with The Education (Pupil Registration) (England) Regulations 2024.
- Adopt the whole-school policy and review annually or more frequently if required.
- Agree targets for attendance at The Loyne.
- Where the school is not meeting its attendance targets, or when the governors believe there is cause for concern, instigate a review of school's attendance procedures.
- Monitor the consistent implementation of the attendance policy.
- Authorise the Headteacher (or other designated person) to consider and make decisions regarding leave of absence requests.
- Work with the Headteacher in establishing criteria against which leave requests will be considered. This is important to ensure the process is equitable and consistent.
- Attend termly data analysis meetings.

Schools are bound by a range of attendance legislation and guidance; please see the appendix for further details.

School attendance contacts

Contact for parents/carers to notify school of a pupil's absence:
Parents/carers must contact the main school office

Contact for day to day enquiries about attendance:
Parents/carers must contact the main school office

Support for specific and more serious attendance concerns:
The School's Pastoral Lead

Senior Attendance Champion, the senior leader responsible for the strategic approach to attendance in school:
The Headteacher

The Pastoral Lead and the Headteacher can be contacted via the main school office on 01524 64543

Lancashire County Council (the local authority)

School Attendance Support Team
Each school has a named contact in the School Attendance Support Team who can advise schools on attendance related matters, and with whom Targeting Support Meetings will be held. For special schools, short stay schools and pupil referral units (PRUs) this will be a School Attendance Consultant (SAC).

School Attendance Legal Team (SALT)
Following requests from schools for legal interventions when parents/carers fail to ensure their children attend regularly, the School Attendance Legal Team undertakes enforcement processes, including penalty notices, prosecutions, parenting orders, education supervision orders and school attendance orders.

Children Missing Education (CME) Team
The Children Missing Education Team ensures the local authority fulfils its statutory duty to identify children in their area who are not registered pupils at a school and are not receiving suitable education otherwise than at a school.

Types of absence
Every half-day absence from school has to be classified by the school as either AUTHORISED or UNAUTHORISED. This is why information about the cause of any absence is always required. As a school, we will always work with parents/carers (and other agencies, as appropriate) to understand the reasons underlying absence.

Authorised absences
Authorised absences are mornings or afternoons away from school for a good reason such as illness, medical/dental appointments which unavoidably fall in school time, emergencies or other unavoidable causes, including exceptional circumstances.

Unauthorised absences
Unauthorised absences are those which the school does not consider reasonable or justifiable and for which no prior 'leave' has been granted. If school has followed its attendance procedures and a pupil continues to have unauthorised absences, the school may see seek advice from the local authority School Attendance Support Team or request legal interventions from the School Attendance Legal Team. This type of absence can lead to the Authority using sanctions and/or legal proceedings. Examples of unauthorised absences are:

- Parents/carers keeping children off school unnecessarily
- Truancy before or during the school day
- Absences which are not explained satisfactorily
- Pupils who arrive at school after the register has closed
- Sleeping in after a late night
- Shopping trips, haircuts, looking after other children or birthdays
- Day trips and holidays in term time which have not been agreed
- Days that exceed the amount of leave agreed by the Headteacher

This list is not exhaustive.

Parents/carers should be aware that the decision whether to authorise an absence or not rests with the Headteacher and if there is any uncertainty relating to an absence,

school may request further evidence from parents/carers before an absence may be authorised. This may be in the form of a prescription, appointment card, letter from a medical professional such as a consultant or similar. Refusal to provide such information when requested, may result in an absence being recorded as unauthorised.

Whilst any child may be off school because they are ill, sometimes they can be reluctant to attend school. Any problems with regular attendance are best resolved with the school, the parents/carers and the child. If your child is reluctant to attend school it is better to speak to school as soon as possible to resolve the issue, rather than trying to cover up their absence, or give in to pressure to let them stay at home as this can give the impression that attendance does not matter. As a school, we will always work with parents/carers (and external agencies as appropriate) to understand and address the reasons behind absence.

Persistent Absenteeism (PA) and Severe Persistent Absenteeism:
Persistent absence is when a pupil misses 10% or more of their schooling (50% or more for severe persistent absence) across the school year for whatever reason, authorised and unauthorised (including illness, exclusion, holiday, etc). Absence at this level may be detrimental to a pupil's overall progress and emotional wellbeing. The school will always work collaboratively with parents/carers to address this and to agree next steps in support of pupils and their families.

At the Loyne we monitor and track all absence thoroughly, therefore any pupil whose attendance indicates they are likely to reach the PA threshold will be prioritised and we may contact parents/carers to initiate a discussion around individual circumstances that are impacting upon regular attendance.

School may also:

- Involve the class team if attendance starts to become a concern
- Involve the Pastoral Lead if attendance then falls below 95%
- Involve senior management if concerns continue
- Visit the home address
- Consider using attendance contracts or panel meetings to identify barriers to regular attendance and agree targets for improvement

All pupils who have persistent absence have a risk assessment to ensure that any safeguarding concerns are highlighted. The nature of the PA will be taken into account and the Attendance Panel will decide on actions accordingly. At all times we will seek to be supportive and maintain a positive dialogue between school and home. In cases where PA is due to an underlying medical condition the Attendance Panel will consider all absence reasons. Due to the serious nature of persistent absence, school do have recourse to support from the local authority attendance team in order to address the matter. School will also consider requesting that the local authority issue penalty notices, or use other sanctions, as a means of improving attendance, taking into careful consideration any personal circumstances. If school is concerned regarding

the possible reasons for absence, due to the context of the situation, then police/social care may be contacted as appropriate.

Leave in Term Time:
By law, maintained schools cannot authorise any leave in term time other than in exceptional circumstances and there is no automatic entitlement in law to take leave during term time. Taking a child out of school in term time will affect their education and progress as much as any other absence and we expect parents/carers to support us by not taking their children away in school time. If leave is being requested that involves arranging travel or accommodation, approval must be obtained from the Headteacher before making any bookings.

Remember that any savings you think you may make by taking a holiday in school time are offset by the cost to your child's education and that of any penalty notices that may be issued.

Leave of absence in term time **will not** be granted unless:

- a request for leave has been made in advance by a parent/carer with whom the pupil normally resides (using the form available on the school website or from the school office), **and**
- the Headteacher considers that leave of absence should be granted due to the **exceptional circumstances** relating to the request.

Any late or retrospective requests (unless in highly exceptional circumstances) will not be granted and your child's absence will automatically be classed as unauthorised.

It is important that you understand that leave in term time will not be agreed by school at any time unless circumstances surrounding the request can be evidenced, by parents/carers, to be exceptional. Parents/carers are advised to provide school with any relevant information regarding their request at the point of application if they believe the circumstances are exceptional.

In considering the request school will also look at various factors such as:

- The timing of the request;
- When a pupil's attendance record already includes any level of unauthorised absence;
- Where a pupil's attendance rate is already a cause for concern, or could become one, as a result of taking leave;
- Other periods of leave which the pupil may have had, either during the current or previous academic year.
- Previous special leave requests that have been agreed as 'exceptional'.

Any period of leave taken without the agreement of the school, or in excess of that agreed, will be classed as unauthorised and may attract sanctions such as a Penalty Notice. In some circumstances, agreement may only be for a specific part of the whole request rather than the whole request.

Religious Absence:
The school will authorise one day of absence per religious festival, e.g. Eid (i.e. the day set aside by the Religious Body of which the parent/carer is a member) and this will be marked as R in the register.

Parents/carers must request any additional leave in advance and this can only be authorised if it is felt that exceptional circumstance apply (this would be marked in the register as 'C')

Participation in sporting events
Parents/carers can request leave of absence for their child to take part in regional, national and international sporting events. However, as always, granting leave is at the Headteacher's discretion and they will need to discuss with you the length and frequency of the absence(s) requested and how learning will continue if absence occurs, eg the sports club or association providing an approved education tutor.

Leave for a sporting activity that has been approved by the school and supervised by someone authorised by the school can be marked in the register as code P.

Permission for your child to leave early or arrive late in order to attend coaching and training sessions is also at the discretion of the Headteacher and is unlikely to be approved if it would occur regularly.

Participation in performances (eg theatre, television, modelling)
Parents/carers of a child performer can request leave from school for their child to take part in a performance. A local authority licence must be obtained before a child can take part in a performance. Before a licence is granted, school will be consulted and Headteachers must be satisfied that the leave will not have a negative effect on the child's education.

Where the licence specifies the dates that the child is to be away from school, the Headteacher should authorise those days. However, where the licence does not specify dates, it is at the discretion of the Headteacher to authorise the leave request. Any absence authorised for the child to take part in a performance will be recorded as code C1.

Parents/carers wishing to apply for a performance licence should go the Lancashire County Council Child performance licences webpage.

Registration

Attendance registration
The school day starts at 8.55am. Pupils are expected to be on the premises at that time and that is when the registration period starts (ie when the register is taken and remains open). The school recognises that the arrival of the majority of pupils at the start of the school day will be subject to the arrangements made for dedicated local authority transport.

Morning registration is between 8.55am and 9.05am.

Afternoon registration is between 1.00pm and 1.05pm.

When the attendance register has been taken it remains open until 9.25am in the morning and 1.30pm in the afternoon.

School finishes at 3.15pm.

Where a class register is missed due to an educational visit, a member of the office staff will complete the registers with a code **V**. If a pupil is collected from the visit location due to illness, appointment or any other reason, the school office will be informed by the visit lead and will then mark the missed register accordingly.

Late arrival
Pupils who arrive after 9.05am (or 1.05pm) must go straight to the school office at the main entrance to sign in and give a reason for their lateness.

Pupils who arrive after the register has been taken (9.05am or 1.05pm) but before it is closed (9.25am or 1.30pm), will be marked as code L. This is classed as late but present for the session (ie the morning or afternoon).

Pupils who arrive after the register has closed and without a valid reason for being late (such as attending a dental or medical appointment) will be marked as code U, which is classed as an unauthorised absence but indicates that the pupil was physically present in school for part of the session.

Punctuality
Poor punctuality is not in any child's best interests although it is understood that there may sometimes be a valid medical reason why a pupil may be late in school. Pupils miss out on their established routine, pastoral support and the greeting from friends and staff. Missing the start of the day may have an adverse impact on a pupils ability to settle into class, cope with a change to their usual routine and therefore lead to dysregulation. Being 10 minutes late every day throughout the academic year is the same as missing two weeks of school.

If your child is often late you will be asked to meet with the Headteacher and/or the pastoral lead to discuss ways to improve punctuality, but you can approach us at any time if you are having problems getting your child to school on time.

Persistent lateness after the register has closed may result in further action. Please see 'Attendance Concerns' section for further detail.

School Attendance Procedures

Absence
We expect all parents/carers to notify the school office on the first day of any unplanned absence. The office is staffed from 8.00 a.m. and parent/carers should phone as early as possible on or after this time. Unplanned absence, along with a reason and expected return date, must be reported by telephone to the school office by **9.00a.m. at the latest**. ***We cannot accept notification of absence from drivers/passenger assistants or via Class Dojo.*** Any planned absence for reasons of appointments etc. should be notified in advance and this must be reported by

telephone to the school office. A copy of the appointment letter should be shown at the office or sent via email to info@loyne.lancs.sch.uk.

For pupils who use county transport parents/carers will also need to inform the Transport Office on 01524 581260 or 01524 581261 to avoid the need for transport to call at the home address.

If home has made no contact with school by **9.00a.m.** a member of office staff will try to contact parents/carers, in the first instance, initially by text message **by 9.30a.m.** If there is no response to the text from parents/carers, telephone contact will be attempted **as close to 10.00a.m. as possible.** If the office staff have been unable to make contact regarding your child's absence by **10.30 a.m.** the Designated Safeguarding Lead (DSL), or Deputy Designated Safeguarding Lead in the DSL's absence, will be alerted and office staff will attempt communication with the emergency contacts provided to school for your child. If by **11.00 a.m.** no contact has been made, the absence will be referred back to the Designated Safeguarding Lead (DSL)/ Deputy Designated Safeguarding Lead for further action. This may include contact with an allocated Social Worker/Family Support Worker (where applicable) and/or a home visit by staff. Please note that such home visits may be unannounced.

Office staff will record all absence information directly onto SIMS as a permanent record.

Absence from school without a valid reason is a safeguarding issue and will be treated as such by the DSL/DDSL. Please refer to the Child Protection and Safeguarding Policy and Procedures.

NB. We understand that in some instances there may be exceptional circumstances that apply but we will endeavour to comply with these time scales as far as possible.

Absence in relation to infectious illness

In cases of infectious illnesses Public Health Exclusions and NHS guidance will be followed by school. In instances of sickness and/or diarrhoea, in line with NHS guidance, which states "*stay off school or work until you've not been sick or had diarrhoea for at least 2 days",* your child should remain absent from school for **at least** 48hours after symptoms have cleared. For example, if your child is sent home from school with sickness and/or diarrhoea on Tuesday, they should not return to school until Friday at the earliest, ensuring two full school days of no symptoms before their return.

Please note, in line with national pool guidance, pupils who have suffered from diarrhoea as the result of illness must not swim in our pool for **14 days** following the last day of illness.

Telephone numbers

There are times when school need to contact parents/carers about many things, including absence. Therefore, it is important that you provide school with up-to-date contact information, including telephone numbers, for parents/carers and emergency contacts and the office are informed of any changes.

Please note, should a parent/carer leave the home where the child normally resides, for a holiday/work etc either within the UK or abroad, resulting in their child being looked after by someone else, please share this information with school by contacting the main office on 01524 64543.

Attendance concerns

Parents/carers are expected to contact school at an early stage and to work with us in resolving any attendance problems together; this is nearly always successful. However, if concerns persist, school will use the following procedures and interventions, as required, to support parents/carers in improving their child's attendance and/or punctuality:

- Telephone calls and/or letters to make parents/carers aware of school's concern about their child's attendance.
- When there is uncertainty about the reason for absence, school may ask parents/carers to provide appropriate evidence and/or undertake home visits to ascertain where a child is and to ensure they are safe.
- Invitation to meetings to discuss concerns with the Class Teacher/Pastoral Lead/ Assistant Headteacher/ Headteacher.
- Liaison with, where appropriate, you child's family support worker/social worker and related health professionals.
- Attendance contracts to identify barriers to regular attendance, ways to overcome these and agree targets for improvement.
- Incentive and reward schemes for individual pupils, if appropriate.
- Family Help or referral to other agencies and services, including School Nurses and Primary Mental Health Workers, if appropriate.
- For unauthorised absences, request legal interventions by the local authority, such as penalty notices, prosecution or other attendance-related court orders.

At any stage, we may seek advice from advice from the local authority School Attendance Support Team.

Pupils who are unable to attend school for medical reasons

Government guidance on supporting pupils at school with medical conditions places much more emphasis on the role of governing bodies in ensuring that pupils with medical conditions are able to fully access education in the same way as other pupils. A key element of this responsibility is reducing the amount of time missed by these pupils; whether their condition is short or long term.

As a specialist provision, we will work with parents and other relevant professionals to minimise absence for reasons of ill health. This may be specific support in the form of reasonable adjustments or resources used within school.

When a pupil has been absent from school for an extended period, members of school staff and other support services will work with the family to ensure that a smooth return to school is achieved.

Pupils refusing to attend school
At The Loyne, we believe that every child has a right to a full-time education, and we would strive to support the parents/carers of pupils who are reluctant to attend school. In such cases, we will work with parents/carers to identify the reasons why a child may be reluctant to attend school and agree on specific strategies to support them.

We may request advice from the School Attendance Support Team and, with consent, make referrals to other external partners such as the Learning and Disability Team, CAMHS, Children and Family Wellbeing Service or Primary Mental Health Workers, as appropriate, to try to ensure the correct support is secured for the child and their family.

Promotion of good attendance
School will promote and incentivise attendance by acknowledging and rewarding good attendance by all pupils and efforts to improve attendance by individual pupils who have challenging circumstances. The school remains very mindful of the fact that there may be individual pupils who would attend school were it not for a significant health issue or condition. A sensitive approach to this matter is taken when exploring attendance issues with individual pupils and their parents/carers.

Use of penalty notices and other attendance legal interventions
Legal interventions may be sought if providing support to improve attendance is not appropriate (eg for an unauthorised holiday in term time),or has not been successful or engaged with. In accordance with the Lancashire code of conduct, we may request that the local authority issue penalty notices for unauthorised absences that include:

- Leave of absence which is taken without a prior request being made.
- Leave taken after a request has been declined.
- Days taken in excess of an agreed period of leave, without good reason.
- Other unauthorised absence that meets the required threshold, including sessions marked as late after the register has closed (code U).

On 19th August 2024, new penalty notice arrangements came into force, with changes to the cost of a penalty notice and to the thresholds at which penalty notices may be requested by school. The DfE now requires that schools **must** consider if a penalty notice is appropriate when the thresholds are met. The changes to be aware of are:

- Penalty notices issued for offences will be charged at £160 per parent per child. This will reduce to £80 if paid within 21 days.
- Any second penalty notice issued to the same parent for the same child within a rolling 3-year period will be issued at the rate of £160 to be paid within 28 days with no option for a discounted rate.
- The threshold at which a penalty notice must be considered is set at 10 sessions (equivalent to 5 days) of unauthorised absence within a rolling 10-school week period. This may include absences as a result of arriving late after the register closes. The 10 school weeks may span different terms or consecutive school years.
- A maximum of two penalty notices may be issued to a parent for the same child within a rolling 3-year period, so at the 3rd (or subsequent) offence(s) another

course of action will need to be considered (such as prosecution or one of the other attendance legal interventions).

- If a school requests a penalty notice for absences other than unauthorised holidays, including being late after the register has closed, the local authority School Attendance Legal Team may issue a Notice to Improve to parents. A Notice to Improve is a final opportunity for parents to engage in support and improve attendance before a penalty notice is issued. If the national threshold has been met and offers of support have not been engaged with by parents or have not worked, a Notice to Improve may be issued to give parents a final chance to engage with support and improve their child's attendance.

The code of conduct for penalty notices, information and FAQs for parents can be found on the Lancashire County Council education penalty notice webpage.

At the Loyne Specialist School, requesting the issue of a Penalty Notice is a last resort, unless leave is taken without a prior request being made to the Headteacher or leave was taken after the request was declined, and will only be used when other steps taken have been unsuccessful. Prior to requesting a Penalty Notice is issued school will have:

- Made contact with both parents/carers to discuss any barriers to learning and will keep a record of any attempts by the school to resolve the issue, including support offered whether successful or unsuccessful – information will be recorded as a minimum on CPOMS;
- Offered a meeting in school and/or home visits, for parents/carers and the pupil if appropriate, to try and address and resolve the attendance issue and will keep appropriate evidence of the meetings/home visits (CPOMS);
- Issued a letter to each parent/carer individually with regards to the attendance issue, included in this letter would be a warning of potential legal intervention should the attendance issue remain unsolved;

If no contact can be made with parents/carers, or parents/carers are non-compliant with working with the school to address attendance issues, evidence of this will be kept and used in order to support an application for a Penalty Notice to be issued by the Local Authority.

Notifications school must submit to the local authority

Admissions
All schools must notify the local authority within five days of adding a pupil's name to the admission register and must provide the local authority with all the information held within the admission register about the pupil. This duty does not apply to pupils who are added to the admission register at the start of the school's youngest year unless the local authority also requests for such information to be provided (currently Lancashire does not).

Leavers
All schools must notify the local authority when a pupil's name is to be deleted from the admission register under any of the grounds prescribed in regulation 9 of the

Education (Pupil Registration) (England) Regulations 2024, as soon as the ground for removal is met and no later than the time at which the pupil's name is removed from the register. This duty does not apply where the pupil's name is removed after they have completed the school's final year, unless the local authority requests for such information to be provided (Lancashire currently does not).

Where a school notifies a local authority that a pupil's name is to be deleted from the admission register, the school must provide the local authority with the required information as laid out in regulation.

In addition to submitting a notification about removal from roll, some circumstances also require school to make referral to other local authority teams such as the Elective Home Education team or the Children Missing Education team. Schools may also contact the School Attendance Support Team for advice on removing children from roll. For pupils with an EHCP on roll at a special school, the school must have the agreement of the Lancashire Inclusion Service (SEND) before removing from roll.

Pupils who fail to attend
We share our attendance data with the Local Authority which enables the School Attendance Support Team to monitor pupils who fail to attend school regularly or has been absent without the school's permission for a continuous period of 10 days or more. Individual cases will be discussed at Targeting Support Meetings with our School Attendance Consultant.

Pupils on a part-time timetable
Schools must also inform the local authority when a pupil is placed on a part-time timetable. In Lancashire, this should be done via the appropriate form available to schools.

Children missing education (CME)
All children and young people, regardless of their circumstances, are entitled to full time education which is suitable to their age, ability, aptitude and any special educational needs they may have. Local authorities have a duty to put in place arrangements for identifying (as far as possible) those children of compulsory school age in their area who are not on roll at a school or receiving suitable education otherwise than at a school. Local authorities should trace those children and ensure they receive a full-time education.

If a pupil has stopped attending and their location is unknown, schools must make reasonable enquiries to establish the whereabouts of the child jointly with the local authority, before deleting the pupil's name from the register. In such cases, school should undertake a home visit, prior to a referral being made to the local authority Children Missing Education team.

A child going missing from education is a potential indicator of abuse or neglect. It is essential that we, as a school, are alert to signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns such as travelling to conflict zones, Female Genital Mutilation and forced marriage.

Summary:
From the start of the 2024/25 academic year, it became mandatory for schools to share attendance data with the DfE. School also has a legal duty to publish its absence figures to parents/carers and to promote attendance. This information can be found on our dedicated attendance page on our school website. Equally, parents/carers have a duty to make sure that their children attend.

All school staff are committed to working with parents/carers and pupils, as this is the best way to ensure as high a level of attendance as possible.

Reviewed by S Campbell & N Walton	October 2024
Date of Next Review	October 2025
Reviewed by S Campbell & N Walton	October 2025
Date of Next review	October 2026
Reviewed by S Campbell & N Walton	October 2026
Date of Next Review	October 2027

Appendix: School attendance and the law

There are many pieces of legislation and government regulations and guidance that are relevant to school attendance and to children and their parents and carers. The list below relates to this attendance policy but is not exhaustive.

Parents and carers

Duty to ensure children receive education

Section 7 of the Education Act 1996 covers the duty of parents to secure the education of children in their care who are of compulsory school age and states:

> *The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable—*
> *(a) to his age, ability and aptitude, and*
> *(b) to any special educational needs he may have,*
> *either by regular attendance at school or otherwise.*

Offence if a child does not attend regularly

Under Section 444 of the Education Act 1996, if a child of compulsory school age who is a registered pupil at a school fails to attend regularly, their parent is guilty of an offence.

The offence is absolute as the only defences available to the parent are those statutory defences listed within that section of the Act, ie:

- the child was absent with leave granted by the school;
- the child was prevented from attending by reason of sickness or any unavoidable cause;
- absence was on a day exclusively set apart for religious observance by the religious body to which their parent belongs;
- that the school is not within statutory walking distance and that the local education authority has made no suitable transport arrangements or enabled the pupil to become registered at an alternative nearer school.

Compulsory school age

Section 8 of the Education Act 1996 establishes that a child becomes of compulsory school age on the start date of the term following her/his fifth birthday, or that day if her/his fifth birthday falls on the day term starts.

A child ceases to be of compulsory school age on the last Friday in June in the academic year in which he/she reaches the age of 16 or if he/she reaches 16 after the last Friday in June but before the start of the new school year.

Legal definition of "parent" in relation to attendance

The law requires that all “parents” are held responsible for their child’s attendance. This definition can include any person who has care of the child. Section 576 of the Education Act 1996 states:

> *Meaning of “parent”.*

(1) In this Act, unless the context otherwise requires, "parent", in relation to a child or young person, includes any person—
(a) who is not a parent of his but who has parental responsibility for him, or
(b) who has care of him.

Thus, the definition of "parent" means all natural parents, whether they are married or not, and includes any person who, although not a natural parent, has parental responsibility and/or care for a child or young person.

Schools

Attendance and absence registration codes

Working together to improve school attendance, DfE statutory guidance 2024, explains which codes schools should use to record attendance and absence in their registers, and specifies the DfE's expectations of schools and local authorities with respect to school attendance.

Data protection

Schools must ensure that personal data is handled in accordance with the Data Protection Act 2018. See our Privacy Notice for information about how personal data will be used.

Duty for schools to include attendance information in reports for parents

The Education (Pupil Information) (England) Regulations 2005

Duty for schools to notify the local authority when pupils join or leave school

Regulation 13 of The School Attendance (Pupil Registration) (England) Regulations 2024

Duty for schools to report attendance concerns about individual pupils to the local authority

Regulation 13 of The School Attendance (Pupil Registration) (England) Regulations 2024

Duty for schools to safeguard and promote the welfare of children

Keeping children safe in education, DfE statutory guidance, regularly updated

Duty for schools to share attendance data with the Government

Section 537A of the Education Act 1996 and

Share your daily school attendance, DfE guidance 2024

Leave of absence

Regulation 11 of The School Attendance (Pupil Registration) (England) Regulations 2024

Legal interventions

Parents/carers commit an offence if a child who is on a school roll fails to attend regularly and those absences are recorded by the school as unauthorised.

Legal interventions are available under the following acts, guidance and regulations:

- Section 444 of the Education Act 1996
- Section 23 of the Anti-Social Behaviour Act 2003
- The Education (Penalty Notices) (England) (Amendment) Regulations 2024

Pupils experiencing social, emotional or mental health issues

Mental health issues affecting a pupil's attendance: guidance for schools, DfE 2023

Pupils with health needs who cannot attend school

Arranging education for children who cannot attend school because of health needs, DfE statutory guidance 2023

Supporting pupils at school with medical conditions, DfE statutory guidance 2015

Pupils with individual needs and specific barriers to attendance

When considering the individual needs of pupils and families who have specific barriers to attendance, schools should be mindful of their obligations under the UN Convention on the Rights of the Child and the Equality Act 2010. The Technical Guidance for Schools in England, published by the Equality and Human Rights Commission, outlines the requirements of the Equality Act 2010 for schools.

Regulations regarding removal from roll

Regulation 9 of The School Attendance (Pupil Registration) (England) Regulations 2024

Regulations regarding the school day and number of sessions

The Education (School Day and School Year) (England) Regulations 1999