



# OPEN ACADEMY ATTENDANCE POLICY STUDENTS

Signed: *Fred Corbett.*

Designation: *Chair of the Governing Body..*

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The next date for review of this policy is 3 years (January 2020)

## **Contents**

Introduction

Legal Framework

Categorising Absence:

- Illness
- Medical/Dental Appointments
- Other Authorised Circumstances
- Excluded (No alternative provision made)
- Family Holidays and Extended Leave
- Religious Observance
- Study Leave
- Traveller Absence
- Late Arrival
- Unauthorised Absence

Deletions from the Register

Roles and Responsibilities:

- Of the Governing Body
- Of the Leadership Team
- Of Academy Staff
- Of Parents

Using Attendance Data

Support System

Legal Interventions:

- Prosecution
- Parenting Contracts
- Penalty Notices

## **1. Introduction**

### **1.1 Regular Academy attendance is essential if children are to achieve their full potential.**

1.2 The Open Academy believe that regular Academy attendance is the key to enabling children to maximise the educational opportunities available to them and become emotionally resilient, confident and competent adults who are able to realise their full potential and make a positive contribution to their community. The Open Academy will work towards 100% attendance for all students.

1.3 The Open Academy values all students. As set out in this policy, we will work with families to identify the reasons for poor attendance and try to resolve any difficulties.

1.4 The Open Academy recognises that attendance is a matter for the whole Academy community. Our Attendance Policy should not be viewed in isolation; it is a strand that runs through all aspects of Academy improvement, supported by our policies on safeguarding, and positive behaviour. This policy also takes into account the Human Rights Act 1998, the Disability Discrimination Act 1995 and the Race Relations Act 2000.

## **2. Legal Framework**

2.1 Section 7 of the 1996 Education Act states that parents must ensure that children of compulsory education age receive efficient full-time education suitable to their age, ability and aptitude to any special educational needs they may have, either by regular attendance at the Academy or otherwise.

2.2 A child is of compulsory school age at the beginning of the term following their 5<sup>th</sup> birthday. A child ceases to be of compulsory school age on the last Friday in June of the school year in which they reach the age of 16.

2.3 Under the Education Act 1996, the Local Authority has a statutory responsibility to ensure that parents secure education for children of compulsory school age and where necessary, use legal enforcement.

2.4 The Education (Student Registration) (England) Regulations 2006, require schools to take an attendance register twice a day, once at the start of the morning session and then again during the afternoon session. For the Open Academy, this is taken during Period 4.

2.5 The register must record whether the Student was:

- present
- absent
- present at approved educational activity

## **3. Categorising Absence**

3.1 Where students of compulsory education age are recorded as absent, the register must show whether the absence is authorised or unauthorised.

3.2 Absence can only be authorised by the Academy and cannot be authorised by parents. All absences will be treated as unauthorised unless a satisfactory explanation for the student's absence has been received.

3.3 Parents should advise the Academy by telephone on the first day of absence and provide the Academy with an expected date of return. This should be followed up in the form of a written note from

the parent/carer, though verbal explanations may be acceptable where this is considered appropriate. Alternative arrangements can be agreed for non-English speaking parents/carers.

3.4 Absence will be categorised as follows:

3.5 **Illness** In most cases a telephone call or a note from the parent informing the Academy that their child is ill will be acceptable. Parents may be asked to provide medical evidence where there are repeated absences due to reported illness. This will usually be in the form of an appointment card, prescription etc.

3.6 **Medical/Dental Appointments** Parents are advised where possible to make medical and dental appointments outside of the Academy day. Where this is not possible, students should attend the Academy for part of the day. Parents should show the appointment card to the Academy. Students should not take a whole day off for routine medical or dental appointments.

3.7 **Other Authorised Circumstances** This relates to occasions where there is cause for absence due to exceptional circumstances, for example family bereavement, visiting a parent in prison or part time timetable agreed as part of a reintegration package.

3.8 **Excluded (No alternative provision made)** Exclusion from attending the Academy is counted as an authorised absence. The child's Inclusion Co-ordinator will make arrangements for work to be sent home.

3.9 **Family Holidays and Extended Leave** The Academy closes for 70 days (including 5 inset days) of holidays each academic year and we expect all parent/carers take their family holidays whilst the academy is closed. Any parent requesting leave of absence for their child should complete a leave of absence application form. The application will be looked at on an individual basis and you will be informed by letter of the outcome. However, amendments to the Education (Pupil Registration) (England) Regulations 2006 make it clear that Principals may not grant any leave of absence during term time unless there are 'exceptional circumstances'. Any holiday or absence taken without permission from the Principal will be unauthorised and legal action will be sought from the Local Authority.

3.9.1 If a student fails to return after their absence and contact with the parents has not been made or received, the Academy may take the student off the Academy's roll in compliance with the Education (Student Registration) (England) Regulations 2006. This means that the child will lose their Academy place.

3.9.2 If the permission to take leave is not granted and the student still goes on holiday, the absence will be **unauthorised**. In such cases the Academy may issue a Fixed Penalty Notice.

3.9.3 The Local Authority operates a system where any student who has an attendance of 85% or less, with at least 15% unauthorised absence over a 6 week period or 10 consecutive sessions unauthorised absence, will meet the criteria for legal intervention which could be in the form of a Fixed Penalty Notice.

3.10 **Religious Observance** The Open Academy acknowledges the multi-faith nature of British society and recognises that on some occasions, religious festivals may fall outside Academy holiday periods or weekends and this necessitates a consideration of authorised absence or special leave for religious observance.

3.10.1 It is reasonable for a parent to allow their children not to attend the Academy on any day of religious observance if recognised by the parent's religious body.

3.10.2 Parents are requested to give advance notice to the Academy if they intend their child to be absent.

However, in the interests of fulfilling the academic requirements of the Academy and limiting the authorised absence rate of the Academy, it is identified as reasonable that no more than one day be designated for any individual occasion of religious observance/festival and no more than three days in total in any academic year. Any further absence will be categorised as unauthorised.

3.11 **Traveller Absence** The aim for the attendance of Traveller children, in common with all other children, is to attend the Academy as regularly and as frequently as possible.

3.11.1 To protect Traveller parents from unreasonable prosecution for non-attendance, the Education Act 1944, section 86, states that a Traveller parent is safe from prosecution if their child accrues 200 attendances (i.e. 200 half days) in a year. This is only when the family are engaged in a trade or business that requires them to travel and when the child is attending the Academy as regularly as that trade permits.

3.11.2 It does not mean that part-time education for Traveller children is legally acceptable, nor does it relieve parents of their duties to ensure that their children are receiving suitable education when not at the Academy.

3.11.3 When in or around Norwich, if a family can reasonably travel back to their Base School (see below) then the expectation is that their child will attend full-time.

3.11.4 The Open Academy will be regarded as the base school if it is the school where the child normally attends when they are not travelling. However, the Student must have attended in the last 18 months. Traveller children can register at other schools temporarily while away from their base school, in such cases, the Student's place at The Open Academy will be kept open for them whilst travelling. This is to protect them from unfairly losing their place at their school of usual attendance.

3.11.5 The Open Academy can only effectively operate as the child's base school if it is engaged in on-going dialogue with Traveller families. This means that parents must:

- advise of their forthcoming travelling patterns before they happen; and
- inform the Academy regarding proposed return dates

3.11.6 The Open Academy will authorise absence of Traveller children, if satisfied that a family is travelling and has given indication that they intend to return.

3.11.7 Traveller children will be recorded as attending an approved educational activity when:

- The child is on roll and attending another visited school
- Undertaking supervised educational activity under the jurisdiction of another Local Authority's Traveller Education Service
- The child is undertaking computer based distance learning that is time evidenced

3.11.8 Where Traveller children are registered students at the Academy and are known to be present either at a site (official or otherwise) or in a house and are not attending school, the absence will be investigated in the same way as that for any student.

3.12 **Late Arrival** All students should arrive on the Academy site by 8:30am – any student arriving between 8:40am and 9:05am will be marked as late. Any student arriving after 9:05am will be marked as Unauthorised Late; this is when the Academy closes its register. All students arriving late will make up the time by attending a detention.

3.12.1 On arrival after the close of register, Students must immediately report to the Academy office to ensure that we can be responsible for their health and safety whilst they are in the Academy.

3.12.2 The absence will only be authorised if a satisfactory explanation for the late arrival can be provided, for example, attendance at a medical appointment.

3.12.3 The absence will be recorded as **unauthorised** if the Student has arrived late without justifiable cause, for example, if they woke up late or were waiting for their uniform to dry.

3.13 **Unauthorised absence** Absence will not be authorised unless parents have provided a satisfactory explanation and that it has been accepted as such by the Academy.

3.13.1 Examples of unsatisfactory explanations include:

- A Student's/family member's birthday
- Shopping for uniforms
- Having their hair cut
- Closure of a sibling's school for INSET (or other) purposes
- "Couldn't get up"
- Illness where the child is considered well enough to attend Academy
- Holidays/Absences taken without the authorisation of Academy

#### 4. **Deletions from the Register**

4.1 In accordance with the Education (Student Registration) (England) Regulations 2006, Students will only be deleted from the register when one of the following circumstances applies:

- The Academy is replaced by another school on a School Attendance Order
- The School Attendance Order is revoked by the local authority
- The student has ceased to be of compulsory school age
- Permanent exclusion has occurred and procedures have been completed
- Death of a student
- Transfer between schools
- Student withdrawn to be educated outside the school system
- Failure to return from an extended holiday after both the Academy and the local authority have tried to locate the Student
- In custody for more than four months (in discussion with The Youth Offending Team)
- 20 days continuous unauthorised absence and both the local authority and Academy have tried to locate the Student
- Left the Academy but not known where he/she has gone after both the Academy and the local authority have tried to locate the Student

4.2 The Open Academy will follow the Norfolk Local Authority's Children Missing Education Protocol when a Student's whereabouts is unknown.

#### 5. **Roles and Responsibilities**

5.1 The Open Academy believes that improved Academy attendance can only be achieved if it is viewed as a shared responsibility of the Academy staff, governors, parents, Students and the wider community. As such, the Governing Body will:

- Ensure that the importance and value of good attendance is promoted to Students and their parents
- Annually review the Academy's Attendance Policy and ensure the required resources are available to fully implement the policy
- A Governor is linked to attendance, who is Mr Fred Corbett.
- Ensure that the Registration Regulations, England, 2006 and other attendance related legislation is complied with
- Monitor the Academy's attendance and related issues through termly reporting at Governing Body Meetings
- Ensure that attendance data is reported to the Local Authority or Department of Children, Schools and Families as required and on time
- Ensure that there is a named senior manager to lead on attendance
- Ensure that the Academy has clear systems to report, record and monitor the attendance of all Students, including those who are educated off-site

- Ensure that there are procedures for collecting and analysing attendance data frequently to identify causes and patterns of absence
- Ensure that data is understood and used to devise solutions and to evaluate the effectiveness of interventions
- Ensure that the attendance of students with attendance less than 85% is monitored closely.

#### 5.2 The Leadership Team will:

- Actively promote the importance and value of good attendance to Students and their parents
- Form positive relationships with Students and parents
- Ensure that there is a whole Academy approach which reinforces good Academy attendance; with good teaching and learning experiences that encourage all Students to attend and to achieve
- Monitor the implementation of the Attendance Policy and ensure that the policy is reviewed annually
- Ensure that all staff are aware of the Attendance Policy and adequately trained to address attendance issues
- Ensure that the Registration Regulations, England, 2006 and other attendance related legislation is complied with
- Ensure that there is a named senior manager to lead on attendance and allocate sufficient time and resource
- Return Academy attendance data to the Local Authority and the Department for Children, Schools and Families as required and on time
- Report the Academy's attendance and related issues through termly reporting to the Governing Body and on a half termly basis to the lead governor for attendance
- Ensure that systems to report, record and monitor the attendance of all Students, including those who are educated off-site are implemented
- Ensure that attendance data is collected and analysed frequently to identify causes and patterns of absence
- Interpret the data to devise solutions and to evaluate the effectiveness of interventions
- Develop a multi-agency response to improve attendance and support Students and their families
- Document interventions used to a standard required by the local authority should legal proceedings be instigated

#### 5.3 Inclusion Co-ordinators, Pastoral Leaders and Form tutors will:

- Actively promote the importance and value of good attendance to Students and their parents
- Form positive relationships with Students and parents
- Contribute to a whole school approach which reinforces good Academy attendance; with good teaching and learning experiences that encourage all Students to attend and to achieve
- Comply with the Registration Regulations, England, 2006 and other attendance related legislation
- Implement systems to report, record and monitor the attendance of all Students, on a weekly basis including those who are educated off-site
- Analyse attendance data to identify causes and patterns of absence
- Contribute to the evaluation of Academy strategies and interventions
- Work with other agencies to improve attendance and support Students and their families
- Document interventions used to a standard required by the local authority should legal proceedings be instigated

#### 5.4 Request that Parents will:

- Talk to their child about the Academy and what goes on there. Take a positive interest in their child's work and educational progress
- Instil the value of education and regular Academy attendance within the home environment
- Encourage their child to look to the future and have aspirations
- Contact the Academy if their child is absent to let them know the reason why and the expected date of return. Follow this up with a note where possible.

- Try to avoid unnecessary absences. Wherever possible make appointments for the Doctors, Dentists etc. outside of Academy hours
- Ask the Academy for help if their child is experiencing difficulties
- Inform the Academy of any change in circumstances that may impact on their child's attendance
- Support the Academy; take every opportunity to get involved in their child's education, form a positive relationship with the Academy and acknowledge the importance of children receiving the same messages from both the Academy and home
- Encourage routine at home, for example, bed times, home work, preparing school bag and uniform the evening before
- Not keep their child away from their education to go shopping, to help at home or to look after other members of the family
- Any parent requesting leave of absence for their child should complete a leave of absence application form. The application will be looked at on an individual basis and you will be informed by letter of the outcome. However, amendments to the Education (Pupil Registration) (England) Regulations 2006 make it clear that Principals may not grant any leave of absence during term time unless there are 'exceptional circumstances'. Any holiday or absence taken without permission from the Principal will be unauthorised and legal action will be sought from the Local Authority.

## 6. Using Attendance Data

6.1 Student's attendance will be monitored and may be shared with the Local Authority and other agencies if a Student's attendance is a cause for concern.

6.2 Every week the Attendance Administrator/Manager will provide all form tutors/~~class teachers~~ with attendance data for each Student within their form group/class. The list will be presented in house/tutor group order with the highest attenders at the top; every Student will be colour coded as indicated below:

<b>GREEN</b>	<b>Students with attendance above 96%</b>
<b>AMBER</b>	<b>Students with attendance between 96% and 92%</b>
<b>RED</b>	<b>Students with attendance below 92%</b>

6.3 The Senior Leadership Team will receive a complete set of data.

6.4 Inclusion Co-ordinators and Pastoral Leaders will receive a complete set of data for their houses

6.5 This Student level data will be used to trigger Academy action as set out in the escalation of intervention (Appendix 1).

6.6 Attendance data will also be used to identify emerging patterns and trends to inform whole Academy strategies to improve attendance and attainment.

6.7 The Open Academy will share attendance data with the Department for Children, Schools and Families and the local authority as required.

6.8 All information shared will be done so in accordance with the Data Protection Act 1998.

## 7. Support Systems

7.1 The Open Academy recognises that poor attendance is often an indication of difficulties in a child's life. This may be related to problems at home and or in school. Parents should make the Academy aware of any difficulties or changes in circumstances that may affect their child's attendance and or behaviour in the Academy, for example, bereavement, divorce/separation, incidents of domestic abuse. This will help the Academy identify any additional support that may be required.

7.2 The Open Academy also recognise that some Students are more likely to require additional support to attain good attendance, for example, those Students with special educational needs, those with physical or mental health needs, migrant and refugee Students and looked after children.

7.3 The Academy will implement a range of strategies to support improved attendance. Strategies used will include:

- Discussion with parents and Students
- Home Visits
- Attendance panels
- Fast Track panels
- Attendance report cards
- Referrals to support agencies
- Student Voice Activities
- Friendship groups
- PSHCEE
- Family learning
- Reward systems
- Part time time-tables
- Additional learning support
- Behaviour support
- Short Stay School
- Reintegration support packages
- Fixed Penalty Notices

7.4 Support offered to families will be child centred and planned in discussion and agreement with both parents and Students.

7.5 Where parents fail or refuse to engage with the support offered and further unauthorised absence occurs, The Open Academy will consider the use of legal sanctions.

## 8. Legal Sanctions

8.1 Prosecution Where intervention fails to bring about an improvement in attendance, the Local Authority will be notified and legal action in the Magistrates' Court may be taken. The Academy will provide the Local Authority with evidence required for a prosecution under Section 444 of the Education Act 1996 and will appear as a prosecution witness if required by the court. This is to ensure that parents realise their own responsibilities in ensuring attendance at the Academy and most importantly about returning children to education.

8.1.1 Section 444 of the Education Act 1996 states that if a parent fails to ensure the regular Academy attendance of their child if he/she is a registered Student at the Academy and is of compulsory school age, then they are guilty of an offence.

8.1.2 A parent found guilty of this offence can be fined up to £2500 and or be imprisoned for a period of three months.

8.1.3 Alternatives to Section 444 prosecution are Fixed Penalty Notices or an Education Supervision Order.

8.2 **Penalty Notices** (Anti Social Behaviour Act 2003) Fixed Penalty Notices will be considered when:

- A Student is absent from the Academy for the purpose of a holiday or absence in term time and the absence has not been authorised by the Academy
- A Student has accumulated at least ten days of unauthorised absence.
- A student has accumulated 15% or more unauthorised absence over a minimum of 6 weeks

8.3.1 A Penalty Notice gives the parent the opportunity to discharge themselves of their legal responsibility if a £60 fine per parent, per child is paid within 21 days. If unpaid, a further invoice of £60 per parent per child is issued.

8.3.2 Failure to pay the Penalty Notice may result in a prosecution under Section 444 of the Education Act 1996.

8.3.3 Penalty Notices will be used in accordance with Norfolk Children's Service's Penalty Notice Protocol.

## **9. Target Setting**

The Governing body will set the attendance targets for the Academy each academic year.

## Appendix 1

### Escalation of Attendance Interventions

#### **GREEN** Students with attendance above 96%

Parents will receive a letter home congratulating them on their child's good/excellent attendance and students will receive a certificate for 100% attendance.  
Students will be rewarded VIVO's the Academy reward system.

Students with this level of termly and annual attendance will receive a certificate of achievement.

A member of the Senior Leadership Team/Inclusion Co-ordinators will monitor the effectiveness of interventions. This will be used to review and inform whole Academy strategies and will also have links to performance management.

#### **AMBER** Students with attendance between 96% and 92%

Inclusion Co-ordinator/Class teacher/form tutor will speak to the Student to:

- Welcome the student back to the Academy
- Confirm with the Student the reason for absence and offer any support that may be required
- Update the Student on other work they have missed and support any catch up required

Where improvement has not occurred following this intervention, parents will be invited to a meeting where the possible outcomes will be:

- All parties confident that issues have been resolved and the attendance will improve.

Where parents fail to attend the meeting without a satisfactory reason and unauthorised absence has occurred, the penalty notice monitoring period may automatically commence.

A member of the Senior Leadership Team/Inclusion Co-ordinator will monitor the effectiveness of interventions. This will be used to review and inform whole Academy strategies and will also have links to performance management.

#### **RED** Students with attendance of less than 92%

##### **Inclusion Co-ordinator**

- Identify underlying home/school issues that may be causing the Student's absence
- Review the Student's academic progress and make links to the Student's attendance eg. If you attended all your classes you could achieve...
- Make arrangements for the Student to catch up on work they have missed
- Implement intervention plan, as per the Academy procedure or review other existing Student plan to include support to improve attendance
- Set an individual attendance targets for the student using percentages that will see the Student move to the band above.
- Agree a review date

In addition, where unauthorised absence has occurred or attendance has not improved following the review with the Student, a letter will be sent to parents advising of concern.

If improvement has not occurred following this intervention, parents will be invited to a meeting where the possible outcomes will be:

- All parties confident that issues have been resolved and the attendance will improve.
- Fixed Penalty Notice
- Fast Track process
- School Attendance panel
- Agree a review date

Where parents fail to attend the meeting without a satisfactory reason and unauthorised absence has occurred, the penalty notice monitoring period will automatically commence.

A member of the Senior Leadership Team will monitor the effectiveness of interventions. This will be used to review and inform whole Academy strategies and will also have links to performance management.

### **RED Students with attendance below 85% (Persistent Absence)**

Students who have attendance below 85% are considered to be persistently absent from the Academy. To ensure that intervention is focused and meets the needs of individuals, Students will be grouped into vulnerable groups. This could be reflected in the following absence figures:

- By end of half term 1 Autumn; 11+ sessions\* (5 days)
- By end of half-term 2 Autumn; 22+ sessions (11 days)
- By end of half-term 3 Spring; 30+ sessions (15 days)
- By end of half-term 4 Spring; 38+ sessions (19 days)
- By end of half-term 5 Summer; 46+ sessions (23 days)
- By end of half-term 6 Summer; 38+ sessions (19 days)

\*session equivalent of a half-day in the Academy

The Governing Body will monitor the impact of this policy termly.