



## **Attendance Policy – Pupils**

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Approved By	Trust Board
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## REVIEW HISTORY

VERSION NO.	DATE OF CHANGE	CHANGE SUMMARY	PAGE NO.
0.1	26.4.21	Draft	
0.2	19.5.21	Amendments following ET meeting	
0.3	30.08.22	Updated in new brand	Various
0.4	September 2022	Updates to OJS and OIS sections	
0.5	January 2024	School procedures removed from policy to be replaced with the Attendance Policy - School Procedures document for each trust school. The additional document can be found on school websites.	
0.6	February 2024	Removed 'never as a punishment' from sanctions section	5
1.0	January 2025	Government guidelines updated to August 2024	6
1.0		Added section on penalty notices	6
		Added section 6 on DfE attendance data	6/7

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## 1. POLICY STATEMENT

Oak Multi Academy Trust is made up of a number of successful schools and your child plays their part in making it so. We aim for an environment which enables and encourages all members of the community to reach for excellence. For our children to gain the greatest benefit from their education it is vital that they attend regularly and on time every day the school is open unless the reason for the absence is unavoidable. The Trust attendance policy is written to reflect the law and also the guidance produced by the Department of Education.

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

Data will be processed to be in line with the requirements and protections set out in the UK General Data Protection Regulation.

## 2. WHY REGULAR ATTENDANCE IS IMPORTANT

Any absence (including lateness) affects the pattern of a child's schooling and regular absence will seriously affect their learning. Any student's absence disrupts teaching routines so may affect the learning of others in the same class. Ensuring your child's regular attendance at school is your legal responsibility and permitting absence from school without a good reason is an offence in law and may result in a fixed penalty notice (for each parent/carer) and/or prosecution. Children with low attendance tend to achieve less in both primary and secondary school.<sup>1</sup>

## 3. PROMOTING REGULAR ATTENDANCE

Please refer to "Attendance – School Procedures" document available on school websites for school-specific procedures in promoting attendance.

### **Unauthorised Non-Attendance at School**

As a Trust we are trying to support parents in improving the attendance by introducing the attendance support plans. These are positive and supportive target-based plans.

Parents and pupils are supported at school and Local Authority level to overcome barriers to regular attendance, through a wide range of assessment and intervention strategies.

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<sup>1</sup>[Working together to improve school attendance \(applies from 19 August 2024\)](#)

Where parental co-operation is either absent or insufficient in this process, sanctions are used as a means of enforcing attendance.

The High Court has confirmed that schools, not parents, authorise absence. Parents may be prosecuted if they fail to ensure their child receives an education. The following sections of the Education Act 1996 apply:

- Section 444(1): if “a child of compulsory school age who is a registered pupil fails to attend regularly” at the school. This leads to a fine of up to £1000 per parent.
- Section 444(1A): if “the parent knows that his child is failing to attend regularly at the school and fails to cause him to do so” without reasonable justification. This ‘aggravated offence’ leads to a fine of up to £2500 per parent and/or up to 3 months’ imprisonment.

The only grounds for challenge in law to an offence under Section 444 are:

- The child was absent for medical reasons (parents/carers should obtain medical evidence to cover the periods of absence);
- The Local Authority failed to provide transport when required to do so;
- The absences were due to religious observance;
- Permission was granted by the school or there was unavoidable cause.

### **Parenting Orders**

Section 8 of the Crime & Disorder Act 1998 makes provision for the courts to impose a Parenting Order, along with other available disposals, in proceedings for non-school attendance. Such an Order requires parents to attend parenting guidance/counselling classes over a specified period of time and could also include specific conditions (e.g. the requirement to escort their child to school each morning).

### **Education Supervision Orders (ESO)**

The Children Act 1989 makes provision for the LA to consider, in all non-school attendance legal proceedings, whether it is appropriate to apply to the Family Proceedings Court for an ESO as a means of attempting to ensure a child’s regular school attendance. This application would be made separately to any prosecution in relation to non-school attendance.

An ESO is made in respect of a child and allows the LA to provide support and give directions to a child and his/her parents to make sure that the child attends regularly.

## **4. ABSENCE PROCEDURE**

Please refer to the "Attendance – School Procedures" document available on school websites in promoting attendance.

## 5. HOLIDAYS IN TERM TIME

- 5.1 Government guidelines issued in August 2024, ensure that parents have no entitlement to take their child on a holiday during term time. Parents should plan their holidays around school breaks and avoid seeking permission from schools to take their children out of school during term time.

OAK Trust policy is to not grant permission for a leave of absence during term time, unless in the most exceptional of circumstances. Any requests for leave during term time must be made in advance (15 working days) by the parent the pupil normally lives with and will be considered based on the exceptional circumstances and specific facts which may justify the leave. A leave of absence is granted entirely at the Headteacher's discretion. Additional evidence may be requested by the school to support these requests.

- 5.2 Requests – please refer to school-specific procedures on the school website. (Also included in the "Attendance – School Procedures" document available on school websites)

- 5.3 Any leave taken without prior agreement of the school or more than that agreed will be coded as unauthorised and the school will notify Leicestershire County Council or Leicester City Council (depending on which school) who may issue a Penalty Notice. Penalty Notices are issued per parent per child at £120 each (discounted to £60 if paid within 21 days). If no payment is received, the Local Authority will refer the case directly to the Magistrates Court for the purposes of a criminal prosecution.

- 5.4 A penalty notice may also be issued where parents allow their child to be present in a public place during school hours without reasonable justification, during the first 5 days of a suspension or exclusion (where the school has notified the parents that the pupil must not be present in a public place on that day).

6. All trust schools are required to share daily data with the Department of Education, as well as specific information with the relevant local authority. Each school will use the DfE attendance information to support its drive to meet attendance targets.

## 7. SCHOOL ATTENDANCE TARGETS

The Trust attendance target for all its schools for 2023–24 is 96% with some schools aspiring to achieve higher.