

“Together
We Shine”



Thomas Holden Street
Bolton BL1 2QG

Tel: (01204) 333666

Fax: (01204) 333667

Email: office@gaskell.bolton.sch.uk

GASKELL COMMUNITY PRIMARY SCHOOL

ATTENDANCE & HOLIDAY LEAVE POLICY

Approval Date: September 2018

Review Date: September 2019

Head Teacher: Emily Kirk BSc (Hons), PGCE, NPQH



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At Gaskell Community Primary School it is important that parents consider carefully the implications of taking their child out of school during term time. Research suggests that children who are taken out of school may never catch up on course work they have missed. This may affect test results and can be particularly harmful if the child is studying in final years.

Legal Requirements:

The school adheres to the legal requirements laid down by the DFE and:

- is open to all pupils for 380 sessions each school year
- maintains computerised attendance registers in accordance with regulations
- accurately records and monitors all absenteeism and lateness
- clearly distinguishes between absence which is authorised and absence which is unauthorised according to criteria laid down by the DFE
- submits absence returns and publishes information relating to levels of attendance and absence and includes details of these in the school's prospectus and annual report
- sets annual targets to reduce absence and submit these targets in accordance with the relevant regulations

Staff Responsibilities:

The Headteacher has overall responsibility for attendance and will:

- regularly communicate attendance information to parents through the school website, through newsletters, through parents' evenings or through other media
- collect and make effective use of attendance data to monitor progress/trends and set targets for improvement – for individuals, classes, year groups and the whole school
- provide clear guidance to staff on the practice of registration and on such connected issues as the appropriate categorisation of absence (see Appendix 1)

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- identify clear procedures to identify and follow up all absence and lateness (allocating individual staff roles and responsibilities)
- make provision for first-day of absence contact in relation to pupils who are known to be poor attendees or who might otherwise be considered to be at risk
- identify a range of both proactive and reactive strategies to promote attendance and address absenteeism, especially persistent absenteeism
- provide for a clear and unambiguous hierarchy of sanctions
- develop strategies which recognise and celebrate pupils' attendance achievements
- set up effective networks for liaising with other involved agencies and services such as Educational Social Workers (ESW)
- stress to parents the importance of continuity of learning, particularly in relation to family holidays during term-time
- help create an ethos and culture which encourages good attendance, addressing school-based causes of poor attendance such as bullying, racism, an inappropriate curriculum, etc.

Class Teachers will:

- take the attendance register at the start of the morning and afternoon sessions in accordance with appropriate guidance
- inform the Attendance Officer of any absentees, particularly those who are a cause for concern
- where reasons for pupil absence are unknown, to follow up reasons on their return to school and change the register code appropriately

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The Office Staff will:

- take telephone messages from parents/carers on the first day of absence and inform class teachers of reasons for absence so that registers can be changed accordingly
- telephone / text parents to find out reasons for absence when no notification has been given, particularly with children who are a cause for concern
- monitor registers to ensure guidelines are followed and entries are accurate
- produce electronic reports where appropriate
- Maintain a 'late gate' list in order to monitor punctuality
- Collect the names of absentees each morning; patterns will be analysed.
- Report to the Attendance Officer on a daily basis.

Governors will:

- discuss attendance data, including trends and patterns at the Curriculum Committee meetings, acting upon any issues which arise
- ensure that attendance data is communicated to parents through the school website
- review the Attendance Policy on an annual basis

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Parents should:

- ensure that their children attend the school regularly, on time, properly dressed and in a fit condition to learn, as required by law
- ensure that their child only misses school for reasons which are unavoidable or justified, such as illness or days of religious observance
- always notify the school as soon as possible - preferably on the first morning - of any absence
- not book family holidays during term-time; where this is unavoidable, parents should put their request in writing to the Headteacher, outlining the reasons for the absence
- talk to the school if they are concerned that their child may be reluctant to attend so that problems can be dealt with at an early stage

The Law

The law says parents do not have the right to take their child out of school for holidays during term time. In exceptional circumstances, schools can allow parents to take their child out of class for up to 5 days in a school year.

If a child is taken out of school without prior permission from the Head teacher of the school, this will be recorded as unauthorised absence and noted on the child's record. This may result in parents being issued with a fixed penalty notice of £60 if paid within 28 days, which goes up to £120 if paid within 42 days. If this is not paid within 42 days, parents could face prosecution and a fine of £1000. Please see Bolton Council School Attendance and Penalty Notices.

The Decision

When deciding whether to allow term time leave consideration is given to:

- The child's age
- The time and duration of the leave
- The child's record of attendance
- The child's ability
- Previous term time leave

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What Parents should consider

There are times during a school year when a child may experience particular problems because of term time leave such as:

- Close to exams or tests, for example Standard Attainment Tests (SAT's) in Years 2 and 6
- During the first year at a new school
- At the beginning of a new school term

If you wish to take your child out of school during term time you will need to complete an application form and make an appointment to see our Headteacher, Miss Kirk before you book your holiday.

If school refuses your request for term time leave and your child is still taken out of school, this will be recorded as unauthorised absence and noted in your child's record and a penalty notice will be issued.

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School Attendance and Penalty Notices

Information for parents and carers

Your child's education is really important. Regular attendance at school increases your child's chance of getting good qualifications and a good job.

Children need to attend school regularly to benefit from their education. Missing out on lessons leaves children vulnerable to falling behind. Children with poor attendance tend to achieve less in primary and secondary school.

The Law

You are responsible for:

- Ensuring your children receive full time education
- Their regular and punctual attendance at school

As the parent you are committing an offence if you fail to make sure that your child attends school regularly and the absence is unauthorised by the Headteacher, even if they are missing school without your knowledge.

If you fail to ensure your child's regular attendance at school the Local Authority may issue a penalty notice or instigate legal proceedings for an offence under section 444 of the Education Act 1996.

What is regular attendance?

In April 2017, the Supreme Court held that attending school "*regularly*" means attendance in accordance with the rules prescribed by the school and not "*sufficiently frequent attendance*". This means that a child must attend school on every day that the school requires him or her to do so and failure to do this may lead to the commission of an offence.

What counts as unauthorised absence?

- Any absence from school that the school has not given permission for
- Truancy from school, with or without parent's knowledge
- Parentally-condoned absence (i.e. you know your child is absent from school and you do nothing about it)
- Delayed return from a period of leave of absence
- Arriving late at school after the register has closed

Can I take my child out of school for a holiday during term time?

You should not expect your child's school to agree to an absence for a holiday in term time.

In 2013 amendments to the Pupil registration regulations removed all reference to family holidays and made clear that Headteachers should not approve any absence unless in exceptional circumstances.



The fundamental principles for defining 'exceptional' are rare, significant, unavoidable and short.

If you feel there are exceptional circumstances why your child needs to be absent from school, you should apply in advance, by writing to the Headteacher explaining clearly the dates and reasons you are requesting leave of absence.

It is at the discretion of the Headteacher whether or not to authorise the absence. If the school refuses a request for leave of absence and the child is still taken out of school this will be recorded as unauthorised absence.

What is a Penalty Notice?

A Penalty Notice is an alternative to prosecution and can be issued when there has been 10 sessions of unauthorised absence (equivalent of 5 days consecutive or otherwise) over two consecutive half terms. A separate Penalty Notice can be issued for each parent per child.

You have to pay a fine but you do not have to appear in Court. You also have to make sure that your child's attendance at school improves.

Payment of a Penalty Notice enables parents to discharge potential liability for conviction.

Is a warning given?

The school will send you a formal letter of warning telling you that a Penalty Notice may be issued. This warning letter will also include details of your child's absences. If you receive a warning letter this is an opportunity for you to work with the school to improve your child's attendance and avoid the need to issue a Penalty Notice.

Your child must have no further unauthorised absences from school from the date of the letter. If your child's unauthorised absence continues and reaches 10 sessions (5 school days) or more, a Penalty Notice will be issued.

There is no limit to the number of times a formal warning may be issued. This depends on each individual case. ***However, the school is not required to send a warning letter where the absence is due to an unauthorised holiday during term time.***

What are the costs?

£60 if you pay within 21 days of receipt of a Penalty Notice or £120 if you pay after this but within 28 days. (Per parent, per child).

Is there an appeal process?

There is no right of appeal by parents against a Penalty Notice.

What happens if I don't pay?

If you don't pay in full within 28 days, Bolton Council is required to commence proceedings in the Magistrates' Court under Section 444 of the Education Act 1996 for the original offence of failing to ensure the regular attendance of your child.



If proven this can attract a range of fines up to £1,000 and/or a range of disposals such as Parenting Orders or Community Sentences depending on individual circumstances.

Can I be prosecuted if I pay the Penalty Notice but my child is still missing school?

Not for the period included in the Penalty Notice – payment discharges your liability in this respect. A prosecution might be considered for further periods of poor attendance not covered by the Penalty Notice, depending on your circumstances.

The Local Authority can also prosecute parents for non-attendance without issuing a Fixed Penalty Notice

If the poor school attendance persists the Local Authority may also consider prosecution under Section 444 (1A) of the Education Act 1996, which can carry a fine of up to £2500 and/or up to three months imprisonment.

What can I do?

Ensure your child attends school regularly and arrives on time. Lateness can be very disruptive for the class and for your child.

Make sure your child understands that you do not approve of them missing school. If you suspect your child is not happy in school you should contact the school as soon as possible.

Take an interest in your child's education, ask about their day, praise and encourage achievements at school.

Can I get help if my child is not attending regularly?

If you are experiencing problems with your child's attendance at school, it is really important that you work closely with school to resolve the matter. Alternatively, for further guidance and support you can contact:

**Child Employment and Enforcement Officer
Early Intervention Service
2nd Floor, BASE
Marsden Road
Bolton
BL1 2PF
Tel: 01204 338173**

Every lesson counts. Improving attendance, raising attainment

The legal definitions of 'parent' are:

- Any natural parent, whether married or not
- Any parent who, although not a natural parent, has parental responsibility as defined in the Children's Act (1989)
- Any person who, although not a natural parent, has care of a child or young person

ASKING FOR HOLIDAY LEAVE DURING SCHOOL TIME



Amendments to the school attendance regulations come into force on the 1st September 2013 in the Education (Pupil Registration) (England) (Amendment) regulations 2013.

Once a pupil has reached 5(2½ days) unauthorised sessions of absence a Warning Notice will be issued.

Following the warning, if a further 5(2½ days) sessions or more of unauthorised absence occur (total of 10 over two consecutive half terms) a Penalty Notice will then be requested.

The changes make it clear that Head Teachers **MAY NOT** grant any leave of absence during term time unless there are exceptional circumstances.

This means that children will **NOT BE GIVEN PERMISSION TO TAKE ANY HOLIDAYS IN TERM TIME.**

Under no circumstance will permission be given:-

- If it is the first two weeks of a new school year.
- If your child is on the Special Needs Register, or if your child has poor attendance.

Parents need to fill in the request form below and return it to school for the Headteacher.

If permission is not given and your child is still taken out of school:-

* this will be an unauthorised absence and go on their school records.

* if your child is absent for 5 school days, a fine will be issued. This will be £60 for EACH child and EACH parent.

* if your child does not return to school after 5 days, the Attendance Officer will become involved.

REQUEST FOR LEAVE DURING TERM TIME AT GASKELL PRIMARY SCHOOL

Child, or children's name and class).....

First day of absence (date).....

Agreed date returning to school.....

If your child/children are not back in school on the agreed return date e.g. illness, flights delays etc... then this will be an unauthorised absence.

We are travelling to

My child needs to go away during school time because?.....

For office use only

Number of school days missed

Current attendance:

Reply letter sent/given to parents

If permission is not granted, I understand that this absence will be unauthorised.

I understand that if my child is absent for 5 days or more without permission, I could be fined.

Parent/guardian's signature.....

Staff signature.....Position.....

Please fill out your contact details:-

Parent Details: Mother

Surname: Forename: Mrs/Miss/Ms:

Home Address:

Postcode:

Parent Details: Father

Surname: Forename:

Home Address:

Postcode:

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Tele: 01204 333666

Headteacher
Emily Kirk

DATE

Dear

Re:

Request for Leave of Absence in Term Time

Your recent request for leave of absence for the purpose of taking a family holiday has been declined. I do not accept that the circumstances of your request are either special or exceptional and therefore under Education Law I am unable to authorise any absences for the period requested.

If your child(ren) is/are absent at that time the absence will remain unauthorised. The matter will then be passed to the Early Intervention Service with a request that a Penalty Notice is considered.

It is imperative that all children attend school, particularly those children in Year 6 as it is the end of the Key Stage and assessments for secondary school will be being made.

I must inform you that if a Penalty Notice is issued and you do not pay it you are liable to be prosecuted by the local authority in the Magistrates' Court and could be fined up to £1,000 per child.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Emily Kirk', written in a cursive style.

Emily Kirk
Headteacher

