



# Bamford Academy

## Attendance Policy

	Date	Initialled
Policy Adopted	April 2016	<i>almasser</i>
Reviewed	September 2017	<i>almasser</i>
Reviewed	September 2018	<i>almasser</i>
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Reviewed	April 2021	<i>almasser</i>
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Reviewed		



# BAMFORD ACADEMY ATTENDANCE POLICY

Reviewed: September 2020

Next Review: September 2021

## 1 Introduction

**1.2** All pupils benefit from regular attendance. To this end we will do all we can to encourage parents and carers to ensure that the children in their care achieve maximum possible attendance and that any problems that prevent full attendance are identified and acted on promptly. ☐

**1.3** Academies must follow the most recent government guidance and advice on attendance. ☐

## 2 Expectations

<p>We expect that all pupils will</p>	<p>Attends daily (unless circumstances are exceptional) ☐</p> <p>Attend punctually ☐</p> <p>Attend appropriately prepared for the day ☐</p> <p>Tell someone if there is anything that is stopping the above ☐</p>
<p>We expect that all parents/ carers who have day to day responsibility for children will</p>	<p>Encourage daily attendance and be aware of their legal responsibilities ☐</p> <p>Ensure that the child in their care arrives punctually, in full correct uniform, prepared for learning ☐</p> <p>Ensure that they contact the academy whenever the child is unable to attend school. ☐</p> <p>Contact the academy each day of the child's absence ☐ by telephone by 9.00a.m. On the child's first morning of absence, give a reason for absence and an indication of when your child will return to school. Please continue to update the academy daily.</p>

	<p>Contact the academy promptly whenever any problem occurs that may keep the child away from school</p> <p>Make routine medical and dental appointment outside of school time or in exceptional cases, after 2pm.</p>
<p>We expect that academy staff will</p>	<p>Keep regular and accurate records of attendance for all pupils, twice daily</p> <p>Monitor every pupil's attendance</p> <p>Contact parents/carers by 10 am on the day of absence if a child fails to attend school and where no message has been received</p> <p>Follow up all unexplained absences to obtain notes authorising the absence</p> <p>Encourage excellent attendance, as a minimum above 97% (children with medical issues will be granted special leave)</p> <p>Provide a safe learning environment</p> <p>Provide a sympathetic response to any pupil's concerns</p> <p>Make initial enquiries of parents/carers of pupils who are not attending regularly, express their concern and clarify the school's expectations with regard to regular school attendance</p> <p>Refer irregular or unjustified patterns of attendance to the Education Welfare Service</p> <p>Meet, where possible, the requirements of the UN convention – The Rights of the Child, by ensuring that children are consulted in all decisions that relate to them</p>

### 3 Holiday schedule

3.1 Each academy holiday schedule is published at least one year in advance (both as a paper copy and on the academy website). Pupils **must** not take holiday in term time as it is detrimental to learning and progress.

### 4 Holidays in term time

4.1 Bamford Academy adopts a zero tolerance approach to requests for holidays in term time. There is an expectation that pupils will attend each day that the

academy is open. The Principal will not routinely authorise absence in term time. Any unauthorised absence will be recorded as 'unauthorised' in the attendance register.

## 5 Exceptional absence

5.1 The Principal may grant authorised leave of absence on the rare occasions where there are exceptional and extenuating circumstances. Note that holidays in term time and extended leave are not classified as exceptional circumstances. ☐

5.2 The Principal will decide whether or not to authorise any application for absence. No parent/carer can demand leave of absence for their child as a right. No person other than the Principal can authorise term time absence. ☐

5.3 Any request for absence will be judged on a case by case basis, and the Principal will use discretion sparingly. When deciding whether or not to authorise the absence, the Principal may take the following into consideration:

the reasons for the requested absence; ☐

the wishes of the parent(s); ☐

the age of the child and their educational stage; ☐

the time of year for the proposed absence (for example if it is near to any assessment ☐dates); and ☐

the child's overall attendance record (current academic year and past years); ☐

5.4 Decisions to authorise/not authorise absence will be applied consistently and equitably. ☐

5.5 Parents should apply for exceptional absence by writing to the Principal. A request proforma is appended to this policy. (See Appendix 1) This application will usually be followed up by a meeting with the Principal and a representative of the Board of Directors. ☐

5.6 The decision as to whether to authorise absence in term time will be communicated in writing. ☐

## 6 Authorised absence due to religious observance

6.1 The Academy will treat absence as authorised when it is due to religious observance, exclusively ☐set apart by the religious body to which parents belong. Where necessary, the Academy will seek advice from the parents' religious body about whether it has set the day apart for religious observance. ☐

6.2 For religious observance, **one day's absence will be authorised**. This does not include time for preparation for festivals or days which may be used for

family celebrations which are not the specified dates for the religious event. ☒

6.3 Any pupil who fails to return after the one day's authorised absence will have their absence recorded as 'unauthorised'. ☒

6.4 No more than two occasions (festivals) per academic year will be authorised. If the festival occurs at the weekend or during school holidays, pupils will not be granted a day off in lieu. ☒

## **7 Absence without authorisation**

7.1 Any pupil who is absent from school without authorisation will have their absences recorded as 'unauthorised'. ☒

7.2 Any absence longer than a period of authorised absence will be recorded as 'unauthorised'. ☒

7.3 Pupils whose absence was unauthorised and fail to return within 20 days of the agreed date, may be deleted from the roll.

## **8 Encouraging attendance**

8.1 We encourage attendance in the following ways:

- By providing a welcoming and safe environment ☒
- By providing an interesting and engaging learning challenge curriculum ☒
- Involving pupils in attendance through attendance reward system:
  - Teachers and Support Staff welcome children into school each morning and give verbal praise as they come in and at registration.
  - Each week, the class with the highest attendance rate will receive 5 minutes extra play at a time deemed appropriate by the class teacher, a certificate in whole school assembly and will keep 'Cool Chick' in their classroom for a week. The winning class at the end of the year will get a class prize which may be a trip or onsite fun and games.
  - Individual children with 100% attendance will receive the following:
    - Autumn Term: Bronze award badge
    - Spring Term: Silver award badge
    - Summer Term: Gold award badge
  - The Principal will emphasize the importance of good attendance and punctuality in the Home School Agreement, School Prospectus, general letter to parents, and at parent's evening and meetings.

- By responding promptly to a child's or parent's concerns about the school or other pupils
- By marking registers accurately and punctually during morning and afternoon registration. If a child arrives at school after the close of register without an explanation, the lateness will be recorded as an unauthorised absence and the pupil's name recorded in the late book in case of a fire drill
- By publishing and displaying attendance statistics and school attendance targets
- By celebrating good and improved attendance
- By monitoring pupils, informing parents/carers in writing of irregular attendance, arranging back to school meetings with parents and children as routine and referring the family to the Community Liaison Officer or Local Authority EWS if the irregular attendance continues.

## **9 Attendance procedures**

9.1 The academy publishes the attendance procedure on the website. This will include the following information:

- Start and end time for school day
- Time that children can enter school
- Reasons for needing good attendance
- Consequences of poor attendance
- Procedures if late
- Procedures if absent from school, including methods of contact
- Procedures for returning after absence
- Academy procedures when pupil is absent
- Punctuality awards
- Attendance awards

## **10 Links with child protection and safeguarding**

10.1 Where any attendance or non-attendance issue triggers a cause for concern linked to a child protection or safeguarding issue the Principal should be informed immediately. The Principal will then choose the most appropriate course of action taking advice, where necessary, from the Local Authority Child

Protection team/Children's Social Care.

## **11 Deletions from the admissions register**

11.1 Academies must inform their LA of any pupil who is going to be deleted from the admission register where they:

- Have been taken out of school by their parents and being educated outside the school system;
- Have ceased to attend school and no longer live within reasonable distance of the school at which they are registered;
- Have a medical condition certified by the school medical officer that the pupil is unlikely to be in a fit state of health to attend school; or
- Have been permanently excluded

## **12 Attendance and punctuality monitoring**

12.1 Bamford Academy has a member of staff responsible for managing and monitoring attendance and punctuality on a daily basis. It is the responsibility of the Principal to ensure that good attendance is a high priority and that attendance and punctuality monitoring is acted on swiftly. The Principal will decide who liaises with parents and carers re attendance and punctuality issues. The Principal has a direct role in liaising with parents when there are on-going attendance and/or punctuality issues. For the sake of clarity, persistent absence (PA) is taken to be any on-going attendance of 90% or under. The academy expectation is that your child will attend 100% and attendance will not drop below 97%.

### 12.2 Punctuality monitoring

If a child presents at school after the closure of the register, the school's online information management system reports this as an unauthorized absence. If a child is persistently late, parents will be sent a letter to inform them that their child's punctuality is of concern and that if there is no improvement they will be invited in to discuss support for improved punctuality going forward in the form of an individual punctuality plan. It is an expectation that parents/carers work with academy staff to improve the punctuality of their child/ren. Where there are serious concerns around a child's punctuality, the Principal will write to the parents and invite them to a meeting. The Principal, with the safeguarding and attendance leader, may also inform them that the academy has needed to seek the support from the Rochdale local education welfare officer.

### 12.3 Attendance Monitoring and Return to school interviews

If a child has been absent for 6 sessions in a half-term, a letter will be sent to inform parents/carers that their child's attendance is of concern and that if there is no improvement they will be invited to a return to school interview to discuss support for improved attendance going forward in the form of an individual

attendance plan. There is an expectation that parents/ carers will work with academy staff to improve the attendance of their child.

Where there are serious attendance concerns which may relate to safeguarding, the Principal will write to parents and invite them to a meeting / inform them that the academy has referred the case to the education welfare officer at Rochdale local authority. This meeting may be attended by other professionals, e.g. School Nurse, Social Worker etc. ☐

### 13 Penalty notices ☐

13.1 The Principal will use a range of methods to encourage good attendance☐and challenge poor attendance. Where internal systems and partnership working☐with parents are not effective they will use a Penalty Notice in accordance with the most recent regulations and local authority guidance. Penalty notices are issued to **each parent**. Failure to comply with the penalty notice could render the parent/carer liable to prosecution. This is not a decision that will be taken lightly as, of course, each academy wishes to maintain excellent links with parents/carers. However, our responsibility is to ensure that every child has access to the full provision that is on offer and this cannot be taking place if the child is away from school. Absence due to holidays in term time will result in a Penalty Notice. ☐

13.2 Under the Code, Penalty Notices for unauthorized term time holidays may be issued: ☐

- If parents have not sought permission from the Principal before taking their child out ☐of school for a holiday in term-time; ☐
- If the Principal has refused the request but the absence occurs anyway; ☐
- If a pupil has not returned to school by the agreed date without a satisfactory ☐explanation and the pupil remains on the admission register of the school. (Penalty ☐Notices cannot be issued when a child has been deleted from the admission register) and ☐
- Where the absence has been recorded by the school as unauthorised in the attendance register on at least 10 sessions (5 school days). ☐
- Penalty Notices will still be issued if the parents are known to be out of the country ☐

13.3 Penalty notices will be issued for unauthorised absence (not holidays) and lates. Once a child has presented at school after the closure of the register, this is deemed as an unauthorised absence for that session.

After 10 unauthorised sessions or lates in a term or 5 in a half term, parents will receive a letter warning them they will receive a penalty notice if attendance and punctuality doesn't improve.



The Academy, in partnership with RMBC, may also choose to seek legal action for non attendance without first issuing a penalty notice.

## **Conclusion**

This policy is built on mutual respect for each other as members of the school community. We all deserve the same courtesies and respect.

## **Covid 19 Addendum**

It is vital for all children to attend school to minimise, as far as possible, the longer-term impact of the pandemic on children's education, wellbeing and wider development.

From September 2020, the school has put in place measures on advice of Public Health England to mitigate the risks of the transmission of Covid 19. The Academy has staggered the start and end times to the school day for each 'class bubble' to minimise contact and mixing and has created a morning Peacocks service for families with siblings to support working parents/carers and attendance and punctuality at school. Additional cleaning; frequent handwashing and hand sanitisation as well as strict timetabling and consistent staffing of class bubbles have been introduced so the school environment is covid secure.

## **2. Expectations**

### **Parents/ Carers**

From September 2020, School attendance is mandatory. This means that it is the legal duty of a parent/carer to send their child (if they are of compulsory school age) to school regularly. Children who live with someone who is clinically extremely vulnerable, but who are not clinically extremely vulnerable themselves, should still attend school. Where extremely clinically vulnerable children are not able to attend school as they are following clinical or public health advice related to coronavirus (COVID-19), the absence will not be penalised.

Communication between parents/carers and the academy is crucial in keeping the school community safe. Parents /Carers and pupils must not attend the school setting if they; anybody they have been in direct contact with or any person in their household has symptoms of Covid 19 or has had a positive Covid 19 test result. They must follow NHS Test, Track and Trace guidance. .Parents/Carers must immediately inform the Academy of their child's non-

attendance due to the above reasons and update the Academy on the receipt of their test results.

Where a positive test result is confirmed, the parent/ carer must inform the Academy the date their symptoms started or if asymptomatic, the date that the positive test was taken so that the correct return date can be determined following PHE/ NHS guidelines.

We expect that all parents /carers who have day to day responsibility for a child will ensure their child engages with their education provided by school whilst self-isolating at home. The school will support pupils so they are able to access their education where a need is identified.

### **Academy Staff**

We expect Academy staff to take attendance registers promptly at the start of the morning session so that attendance /punctuality monitoring and tracking can be quickly followed up to ensure that the school community is kept safe.

We expect that Academy staff will provide education for pupils who are unable to attend the Academy because of self-isolation due to Covid 19. Where a pupil is unable to attend school because they are extremely clinically vulnerable and are complying with clinical or public health advice, we will ensure they are able to access their remote education.

We expect academy staff to keep in daily contact with pupils when they are learning at home and monitor pupil engagement, informing the Principal and Vice Principal where there are concerns over non-engagement. The school will assess the level of support required for these pupils to engage in their learning.

The Academy will return DfE attendance data collection as requested.

### **4. Holidays**

There remains no changes to requests for holidays in term time and requests for exceptional absence.

Parents must be aware and take into account when booking any foreign travel the current UK quarantine regulations on their return and avoid foreign travel that would mean a child would miss out on term time education. This could jeopardise their child's school place or could result in a penalty notice being issued.

On return to school, parents will be asked to bring their child/ren through the main school office and provide evidence of their return flight details to ensure that the quarantine period has been observed and to ensure the safety of the Bamford community from Covid 19.

## **8. Encouraging Attendance**

The 100% attendance awards will be reinstated for the Summer Term.

## **10 Links with child protection and safeguarding**

During Covid 19, where a period of absence other than Covid 19 related linked to sickness absence persists beyond 4 days, the DSL/DDSL will make contact with the family to discuss what steps have been taken to support the child's health and well-being. Where it is deemed necessary, the DSL/DDSL will consider whether support is needed within school or outside of the school to support the health and well-being of the child and family.

## **12. Attendance and Punctuality Monitoring**

The school will reassume its full responsibilities in recording and monitoring punctuality and attendance, following up absence and in the availability to issue sanctions as written in this policy.

Where there is a need for the parent and the school to discuss a punctuality/attendance issue, options for a non face to face meeting will be explored. If a child is persistently late/absent, parents will be invited in to discuss punctuality /attendance and to draw up an individual punctuality attendance plan identifying support and targets going forward.

The attendance of pupils who are self isolating is monitored and tracked on a daily basis to ensure that these pupils return to school on the set date and promptly return to school learning. This policy will be reviewed in the light of further information from the DfE and Rochdale local authority.

We expect that academy staff will monitor and track pupil self isolation return dates closely to ensure the school community is kept safe

## **13. Penalty Notices**

During Covid 19, the Academy maintains a supportive role in ensuring a child's attendance at school and will involve outside agencies such as Education Welfare where this is needed in ensuring pupil attendance. The Academy's aim is to work in partnership with its parents/carers to overcome any barriers to a child's attendance whilst upholding the mandatory requirement for children to attend school. Penalty notices will be issued as in this policy.



## APPENDIX 1

### PERSISTENT LATENESS /PERSISTENT ABSENCE

Dear Parent/Carer of:

I would like to inform you of our growing concern over your child's persistent lateness/persistent absentism. This means that your child has been late / has not attended school for at least 10% of their time.

It is so important to your child's emotional wellbeing to attend school and to attend on time, and we would ask going forward that you put steps in place to ensure your child's punctuality/attendance improves.

Should your child's punctuality /attendance continue to be of concern, then we will invite you into school to discuss the matter and offer you some support.

I hope this is satisfactory, however should you have any concerns then please do not hesitate contact me.

I look forward to our meeting

Yours Faithfully

Ms L Matthews

Principal

Ms R Roche

Community Liaison/KS1 Safeguarding Officer



## APPENDIX 2

### PERSISTENT LATENESS /PERSISTENT ABSENCE

Dear Parent/Carer of:

I would like to invite you to a meeting regarding persistent lateness/absenteeism.

It is so important to your child's emotional wellbeing to attend school and to attend on time, therefore we would like to discuss this matter with you and offer you some support to ensure that \_\_\_\_\_do attend on time.

A meeting has been arranged for \_\_\_\_\_at \_\_\_\_\_

If for any reason you are unable to attend on this date then please contact the school at your earliest convenience to arrange a different appointment.

Should you feel that you do not wish to receive support from the school, then we will refer you to the Early Help team at Rochdale Borough Council who also offer support around attendance and they will be in touch with you direct to arrange a meeting with one of their family practitioners who will arrange to visit you at your home.

I hope this is satisfactory, however should you have any concerns then please do not hesitate contact me.

I look forward to our meeting

Yours Faithfully

Ms L Matthews

Principal

Ms R Roche

Community Liaison/KS1 Safeguarding Officer



### APPENDIX 3

## RETURN TO SCHOOL INTERVIEW

Parent /Carer of:\_\_\_\_\_

Date:\_\_\_\_\_

Dear \_\_\_\_\_

We would like to invite you and \_\_\_\_\_(name of pupil) to meet with us to welcome you back to school following your latest period of absence.

Please complete the attached questionnaire and bring this with you to the meeting.

The meeting has been scheduled for \_\_\_\_\_, however, should you wish to re-arrange this meeting then please contact Ms R Roche at your earliest convenience.

We trust this is satisfactory and look forward to meeting with you

Ms L Matthews

Principal

Ms R Roche

Community Liaison/KS1 Safeguarding Officer



## RETURN TO SCHOOL QUESTIONNAIRE

1 PLEASE TELL US THE REASON FOR YOUR CHILD'S ABSENCE

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2 IF THIS WAS AN ILLNESS RELATED ABSENCE, HAS YOUR CHILD SUFFERED WITH THIS ILLNESS BEFORE? (IF NOT AN ILLNESS RELATED ABSENCE THEN PLEASE GO TO QUESTION 6)

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3 DID YOU SEEK MEDICAL ATTENTION? YES/NO

4 DID YOU RECEIVE A CERTIFIED SICK NOTE FROM YOUR DOCTOR?  
YES/NO

5 IF YOU HAVE ANSWERED NO TO QUESTIONS 3 AND 4 THEN PLEASE GIVE YOUR REASON BELOW

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6 HAVE YOU READ BAMFORD ACADEMY'S ATTENDANCE POLICY?  
YES/NO

7 HAVE YOU SIGNED THE PARENT CODE OF CONDUCT AGREEMENT?  
YES/NO

Thank you for completing this questionnaire, it is useful for us in ensuring we safeguard your child and provide you with support if necessary.

Please bring this to your scheduled 'return to school meeting'.



#### APPENDIX 4

### Request for Exceptional Term Time Leave (one form per child):

Name of Pupil:	Names and contact details of Parents/Carers	
Siblings in this or other schools:	Father:	
Name(s):	Mother:	
DOB:	Telephone number:	
School:	Email:	
Dates of exceptional leave request.	From	To
Why are you requesting an exceptional leave of absence during term time?		
What steps have you taken to minimise the impact of the leave on your child's learning?		
Where will you be staying during the leave period? Please provide the full address and Emergency Contact Details (UK and Abroad) UK: Abroad:		
<b>I confirm that the information on this form is true</b>		
<i>I agree to keep the school informed of any changes to my travel arrangements or if my child is unable to return to school on to due date</i>		
<i>I am aware that if my child does not return to school by the date provided that he/she is at risk of losing their place at this school</i>		



*I am aware that I may be fined and/or prosecuted for any time which my child is absent from school that has not been authorised by the Principal.*

<b>Signed by parent/carer</b>	<b>Print name &amp; relationship to child</b>	<b>Date</b>
<b>Signed by parent/carer</b>	<b>Print name &amp; relationship to child</b>	<b>Date</b>
<b>For Bamford Academy use only</b>	<b>Date request received</b>	<b>//</b>

Has the request been considered by the Principal? Y/N

the request been discussed with the parent/carer? Y/N Date: .....

No of school days Requested .....

No of days Authorised ..... No of days Unauthorised .....

Date of decision letter sent to parent/carer:

*If unauthorised leave is taken and this case complies with Penalty Notice criteria please forward to MAST along with Pupil/student attendance register.*

<b>Principal's signature</b>	<b>Date</b>
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## APPENDIX 5

### Bamford Academy's Exceptional Leave Decision Letter (template)

**Reference: To the Parent(s)/Carer(s) of .....**

On the ..... (date) you requested that the school consider term time leave for your child(ren) ..... (name, DOB).

You said that you wanted to go to

.....(place)

For.....(reason).

You said that you would be away from school from .....(date) to .....(date).

This equates to .....school days

The Principal has considered your request and has reached the following decision:

- School days will be agreed by the school Yes / No

The reasons for the Principal's decision are given below.

We expect your child to return to school on ..... (date). If your child is

unable to return on this date please let us know, as failure to do so may result in your child losing their place at this school.

Please be aware that should your child fail to return to school on that date, any further absence from school will be unauthorised. This could result in:

- Education Penalty Notice fines of £60 (rising to £120) per parent per child being issued by the Local Authority
- In some cases your child's name being removed from the school roll, resulting in your child losing his/her school place. This will mean you will have to re-apply. Places are allocated to the next child on the waiting list as soon as they become available so reapplying does not automatically guarantee your child a place.

In the event of unforeseen problems arising which prevent your child's return on the above date, please contact school immediately to discuss the position.

**Signed on behalf of Bamford Academy: .....**

**Printed Name: .....**



## APPENDIX 6

School letter to parent, informing parent/carer of possible risk of losing school place (template)

NAME OF SCHOOL

Date:

Name: Address:

Reference:

To the Parent/Carer of .....

Your child was due to return to school on .....(date). We have made enquiries and have been unable to confirm that your child is absent because of sickness or other another unavoidable circumstances.

As we are unable to confirm where your child is or a return date, I am writing to let you know that I will be requesting that your child is removed from the school roll. I will be informing the Children Missing from Education Team who may make enquiries with the Police, Social Care and Child Benefits.

It is important that you contact ..... (name) the School (telephone number) as soon as you receive this letter. I will continue to make enquiries to find out where your child is.

Yours sincerely

Ms L Matthews

Principal

Cc: CME Team, Rochdale Council



## APPENDIX 7

School letter to parent informing them of loss of school place (template)

Date:

Name: Address:

Reference:

To the Parent/Carer of .....

I am writing to let you know that ..... (child's name) has been removed from the register of this school on ..... (date). If you would like your child to attend Bamford Academy you will have to re-apply for a place.

Please contact the Children Missing Education (CME) team, who will be able to help you find a school place.

Yours sincerely

Ms L Matthews

Principal

Cc: CME Team, Rochdale Council



## APPENDIX 8

Bamford Academy checklist to Locate Missing/Lost Pupil

Please complete fully and include 'no response' where appropriate, as this form will be required if a Child Protection investigation is undertaken

**Name of Child:**

**DOB:**

School Action	Details	Outcome including date completed
Telephone calls made to parent/carers	<b>Mobile:</b>  <b>Landline:</b>	
Telephone calls to emergency contact numbers		
Email to parent		
Letters sent to last known address		
Enquiries made with school which siblings attend	<b>Sibling name &amp; School</b>	
Has the child has moved to another part of the UK and address is known, please contact CME team and request 'safe and well visit'	<b>Date requested:</b>	<b>Date response received:</b>  <b>Outcome:</b>
Enquiries made with agencies with known involvement		
Home visited completed  (Min of 3 non-contact visits to be made). Bamford Academy		

may request this from their local MASS team		
Any other enquiries undertaken		

All completed checklists need to be accompanied with a 'Request to Remove Child from School Roll' and sent to the CME team to enable deregistration to occur CME Team, Rochdale Council.



## APPENDIX 9 PENALTY NOTICE

*The Person(s) with parental responsibility for the pupil are:*

*Mr/Mrs/Miss/Ms*

*Others with parental responsibilities and/or care control are:*

*Name Address*

I, Lisa Matthews, an authorised officer of Bamford Academy have reason to believe that *(Name of Child – Date of Birth)* was absent from school on *(x)* occasions between *(Dates – time period)* representing total attendance in school over that time period of *(x%)*.

If a child of compulsory school age who is registered at a school fails to attend regularly at the school then the parent is guilty of an offence under Section 444 (1) of the Education Act 1996.

This notice offers you the opportunity to discharge any liability to conviction for the above offence by payment of a fixed penalty. If you pay the penalty of £60 within 21 days no further proceedings will be taken. If you do not pay within 21 days, the penalty notice increases to £120. This must be paid within 28 days of receiving this notice.

If you, described above, do not pay this penalty notice, you will be prosecuted by the academy in consultation with RMBC and if convicted, you could receive a much larger fine of up to £2500 and/or imprisonment for a term not exceeding three months. It is not a defence in court to say that you did not know that your child was absent from school or that they were being bullied at the time.

Payment must be made to Bamford Academy on behalf of RMBC. Please contact Ms R Roche to pay your penalty notice.

L Matthews - Authorised Officer (Principal – Bamford Academy)

Signature

Date



## The Law

The Education Act 1996 (Section 444) states:-

'If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school his parent is guilty of an offence'.

The offence is called a "strict liability" offence. This means that if you are the parent of the child and that child is on roll at a school and they have not attended regularly then the court must find you guilty of the offence unless you have a defence.

### A Parent is defined in law as:-

- All natural parents, whether married or not
- Any person who, although not a natural parent, has parental responsibility for a young person
- Any person who, although not a natural parent, has care of a child or young person.

The fact that you do not live with the child is not a defence against securing their attendance at school.

## The Defences

For any case brought before the magistrates under section 444 there are only these possible defences.

- The child had leave of absence. That means that you can prove that the headteacher gave permission for your child to be absent.
- The child was too sick. This could be proved by the production of a medical certificate or letter from your doctor.
- The child was unavoidably absent. This means that there were exceptional circumstances preventing your child from attending school. This may be difficult to prove.
- The child was absent for any day exclusively set apart for religious observance by the religious body to which his parent belongs. It is unlikely that this defence would apply to all the dates on your summons.



- The school is not within “walking distance” of the child’s home and no suitable alternative arrangements have been made by the LA. This distance is 3 miles, and it means that the LA has an obligation to provide transport. A defence would be to prove that the LA had not done so by providing copies of correspondence.
- The child has no fixed abode and the parent can prove that they were travelling for the purposes of obtaining work.

It is for the parents to prove that one or more of these defences apply.

**It is not a defence to say that you did not know that your child was absent from school or that they were being bullied at the time.**

