



# Adswood Primary School

## Attendance Policy

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| <b>Governing Body Ratified:</b>    | October 2025                         |
| <i>M. Smart</i><br>Head Teacher    | <i>J Dancy</i><br>Chair of Governors |
| <b>Governing Body Review Date:</b> | October 2026                         |

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## **INTRODUCTION:**

1. Improving attendance is everyone's business. The barriers to accessing education are wide and complex, both within and beyond the school gates, and are often specific to individual pupils and families. Good attendance begins with school being somewhere pupils want to be and therefore the foundation of securing good attendance is that school is a calm, orderly, safe, and supportive environment where all pupils are keen and ready to learn.
2. Some pupils find it harder than others to attend school and therefore at all stages of improving attendance, schools and partners should work in partnership with pupils and parents collaboratively to remove any barriers to attendance by building strong and trusting relationships and working together to put the right support in place. Securing good attendance cannot therefore be seen in isolation, and effective practices for improvement will involve close interaction with schools' efforts on curriculum, design and delivery, managing behaviour, responding to bullying, providing appropriate support for those with special educational needs, supporting pastoral and mental health and wellbeing, and effective use of resources, including pupil premium. It cannot solely be the preserve of a single member of staff, or organisation, it must be a concerted effort across all teaching and non-teaching staff in school, the trust or governing body, the local authority, and other local partners.

## **LEGAL DUTIES ON PARENTS AND SCHOOLS:**

3. The law entitles every child of compulsory school age to an efficient, full-time education suitable to their age, aptitude, and any special educational need they may have. It is the legal responsibility of every parent to make sure their child receives that education either by attendance at a school or by education otherwise than at a school.
4. Where parents decide to have their child registered at school, they have an additional legal duty to ensure their child attends that school regularly. This means their child must attend every day that the school is open, except in a small number of allowable circumstances such as being too ill to attend or being given permission for an absence in advance from the school.
5. Under The Education (Penalty Notices)(England)(Amendment) Regulations 2024 school's are under a duty to consider using Education Penalty Notices whenever the statutory threshold of 10 unauthorised absence sessions in 10 school weeks has been met. However, the statutory guidance has been very clear that with the exception of unauthorised leave of absence (such as for holidays) support measures should always be attempted before enforcement options, including EPN's, are used. By following the Attendance Intervention Staged Process set out in this document schools will have a clear structure for complying with this duty and identifying those cases where enforcement is appropriate
6. The school must make a return to the local authority (an "attendance return") giving the full name and address of every registered pupil of compulsory school age if the school has reasonable grounds to believe that the pupil has been absent from the school for a continuous period of at least ten school days in respect of which their absence is recorded in the attendance register exclusively using one or more of the following codes as set out in [regulation 10](#)
  - (i) code G (absent without leave for the purpose of a holiday);
  - (ii) code N (absent in circumstances not yet established);
  - (iii) code O (absent in other circumstances);
  - (iv) code U (absent at registration but arrived later).
7. The school must make a return to the local authority (a "sickness return") giving the full name and address of every registered pupil of compulsory school age if the school has reasonable grounds to believe that the child
  - (i) will be unable to attend because of sickness for at least 15 consecutive school days; or

(ii) will be, or will have been, unable to attend because of sickness for a total of at least 15 school days during the school year, whether consecutive or not.

The 'sickness return' must be made as soon as possible and are not required to make a sickness return for a pupil in the same school year and relating to the same continuous period of absence.

## ATTENDANCE INTERVENTION STAGED PROCESS

8. This intervention process with accompanying documents has been designed to support schools in managing cases where pupil attendance is a concern. It sets out steps for schools to follow in **stages 1 and 2**, working with families and other professionals to offer support to improve attendance before starting a formal process.
9. As absence is so often a symptom of wider issues a family is facing, schools, trusts and local authorities should always work together with other local partners to understand the barriers to attendance and provide support. Where that is not successful, or is not engaged with, the law protects children's right to an education and provides a range of legal interventions to formalise attendance improvement efforts, and where all other avenues have been exhausted, enforce it through prosecuting parents. Attendance legal intervention can only be used for pupils of compulsory school age and decisions should be made on an individual case by case basis.
10. In the majority of cases, improvement in attendance can be brought about by good communication and strong partnership working between parents and the school, identifying and addressing the barriers to attendance. Offering and involving early help services is also an integral part of this staged process in cases where more help is needed to address wider issues within a family that are contributing to irregular attendance, ensuring that families get the right support when they need it.
11. The staged process was introduced in September 2021 and has been reviewed in light of the new Department for Education attendance guidance [Working together to improve school attendance – August 2024](#) and [Summary Table of Responsibilities for School Attendance – August 2024](#). From September 2024, this guidance replaces all previous guidance on school attendance for maintained schools, academies, independent schools, and local authorities (with the exception of the existing statutory guidance on parental responsibility measures) and is statutory alongside changes in legislation – [The School Attendance \(Pupil Registration\) \(England\) Regulations 2024](#) and [The Education \(Penalty Notices\)\(England\)\(Amendment\) Regulations 2024](#).
12. The DfE attendance guidance supports the Attendance Intervention Staged Process. This formalises the role of the school in supporting and addressing attendance issues, with support from other professionals including a voluntary early help plan where needed, so that families get the right support at the right time. Throughout the process emphasis is placed on trying to understand barriers to attendance and put appropriate support in place. At **Stage 3** this becomes a more formal process (Attendance Contract), where the support offered at Stage 1 and 2 haven't been successful for example where voluntary support has not been effective and/or has not been engaged with.
13. An **Attendance Contract** is a formal written agreement between a parent and either the school or local authority to address irregular attendance at the child's provision. It is not legally binding but allows a more formal route to secure engagement with support. It is not a punitive tool but intended to provide support and offer an alternative to prosecution. Parents can't be compelled to enter an attendance contract and it can't be agreed in a parent's absence. There's no obligation for the school or local authority to offer an attendance contract as it may not be appropriate in every instance and the reasons why an attendance contract is not used will be recorded.

14. Where a voluntary early help plan, or formal attendance contract has not been successful, and all offers of support have been exhausted an **Education Supervision Order (ESO)** can be a useful alternative to provide formal intervention without a criminal prosecution. In deciding whether to progress to an ESO, the school and local authority should be clear that making the order would be beneficial for the pupil and parent. Where safeguarding concerns exist, the lead practitioner should also discuss with the school's designated safeguarding lead and children's social care services and agree an ESO would be a more suitable option than a s.17 (Children in Need) or s.47 (Child Protection) plan. In all cases, local authorities must fully consider using an ESO before moving forward to prosecution.
15. Where parents persistently fail to comply with the directions given under the ESO, they may be guilty of an offence. Local authorities can prosecute in the Magistrates Court for persistent non-compliance with the Order and parents (upon conviction) will be liable to a fine of up to £1,000.
16. **Prosecution** in the Magistrates Court is the last resort where all other voluntary and formal support or legal intervention has failed or where support has been deemed inappropriate in the circumstances of the individual case. Where it is decided to pursue prosecution, only local authorities can prosecute parents and they must fund all associated costs, including in the preparation of court documentation.

### **SUPPORT FIRST APPROACH - School: Getting Advice and Getting Help**

1. Good attendance is a learned behaviour, and the most effective schools recognise the importance of developing good patterns of attendance from the outset. Schools that have good attendance recognise that it is not a discrete piece of work but rather it is an integral part of the school's ethos and culture.
2. An effective whole school culture of high attendance is underpinned by clear expectations, procedures, and responsibilities.
3. As poor attendance is habitual, prevention and early intervention is crucial. The key to this is regular data analysis to identify and provide immediate additional support to pupils or pupil cohorts that need it, and to look at historic and emerging patterns across the school and develop strategies to address them.
4. The 'broken weeks' report is a useful tool in identifying pupils who are missing odd days of school, which can often be the start of a more significant attendance issue. When considering broken weeks, account should be taken of the number of weeks the school has been in session, which will set the broken week comparator figure (number of broken weeks compared to number of weeks school has been in session e.g. 2 broken weeks out of 4 = possible concern, 2 broken weeks out of 20 = less of a concern). When identifying pupils with broken weeks causing concern, schools should consider the following questions:
  - Is there is a pattern to the absences?
  - Is there a short-term issue leading to the absences?
  - Is there a pattern to the absences, e.g. particular days of the week or time of the year? What might be causing this?
  - What codes are being entered into the register?
  - Are absences due to illness a concern? Does the pupil have multiple broken weeks for minor ailments? Schools should consider whether a medical absence Plan would be appropriate.
5. Many children will experience normal but difficult emotions that make them nervous about attending school, such as worries about friendships, schoolwork, examinations or variable moods. It is important to note that these pupils are still expected to attend school regularly - in many instances, attendance at school may serve to help with the underlying issue as being away

from school might exacerbate it, and a prolonged period of absence may heighten anxious feelings about attending in future.

6. School staff play a critical role in communicating this expectation to parents. They should also work alongside families to ensure that such circumstances do not act as a barrier to regular attendance by mitigating anxious feelings in school as much as possible.
7. Some children face more complex barriers to attendance. This can include children who have long term physical or mental health conditions or who have special educational needs and disabilities (SEND). Their right to an education is the same as any other child and therefore the attendance ambition for these children should be the same as it is for any other child, but additional support may need to be provided. Any attendance issues for a child with SEND should have a multi-disciplinary team approach and involve the SENCo, pastoral and attendance officers/teams. Attendance concerns should also be discussed during an EHCP review for a child with a EHCP.
8. All schools should be aware of and adhere to the Stockport Entitlement Framework for Special Educational Needs: [Stockport Entitlement Framework](#)
9. More information about special educational needs, disabilities and related services available in Stockport can be found on the SEND local offer: [SEND local offer](#)
10. In cases of both long term physical or mental ill health, school staff are not expected to diagnose or treat physical or mental health conditions, but they are expected to work together with families and other agencies with the aim of ensuring regular attendance for every pupil. Please refer to Stockport's policy on 'Arranging education for children with health needs' for more information.
11. Medical evidence for recording absences should only be needed in a minority of cases (see code I). Where a pupil's health need means they need reasonable adjustments or support because it is complex or long term, schools can seek medical evidence to better understand the needs of the pupil and identify the most suitable provision in line with the statutory guidance in 'Supporting pupils at school with medical conditions' or 'Arranging education for children who cannot attend school because of health needs'
12. Medical Action Plans should be used as early as possible and preferably at Stage 1. They should be used in cases where a pupil has multiple broken weeks for minor ailments and it is believed they could be attending more; a pupil has a serious medical need, but it is felt they could be attending school more or accessing more education provision. School should only move to Stage 2 of the process, once a medical action plan is put in place and there is an agreement between the school and medical staff that the pupil's medical needs do not justify the level of absence.
13. At an early stage, school should signpost pupils to appropriate apps and online sources of support, skilled colleagues in schools, the school counselling service or GP if appropriate. Local help available in Stockport includes:
  - [Kooth](#) - a free, safe and anonymous online support and counselling service for young people age 11-18, to support mental wellbeing.
  - [ChatHealth](#) - a confidential text messaging service that enables children and young people aged 11-19 to contact the Stockport school nursing team about any health queries or concerns they may have. Available Monday to Friday (excluding Bank Holidays) from 8.30am-4.30pm.
  - [Stockport Emotional Wellbeing Hub](#): Information, advice, and guidance for anyone up to the age of 25. Parents, carers and professionals can call 0161 217 6028 (during work hours).
  - [SHINE](#) – an Emotional Help and Wellbeing Service for Stockport Young People aged 11-17 years provided by Beacon Counselling. SHINE deliver group sessions with a focus on emotional help, wellbeing and creativity and providing specific signposting relevant to the needs of the individual young person. Telephone: 0161 440 0055.

- [The Proud Trust Proud Connections](#) is for both LGBT+ and those who are questioning their gender and sexuality, and the adults that support them. Proud Connections offers resources and information, as well as the opportunity to speak directly with a Proud Trust youth worker via a one-to-one webchat.
- More information on sources of advice and support for young people can be found on the [Local offer - Mental Health and Emotional Wellbeing](#)
- **The School Nursing Service** can also support schools by offering screening and support for young people who are struggling with poor emotional health. School nurses run clinics in secondary schools and provide support as required in primary schools.
- Where mental health continues to be a concern, schools should consider a referral to the **Primary or Secondary Jigsaw services** if appropriate or a **referral to CAMHS**.
- In some cases, secondary schools may consider a referral to **The Pendlebury Centre** for a period of off-site education and support alongside attendance at school. The Education Access team (0161 474 3805) is also available for consultations regarding referrals.
- Parents can also be directed to the Local Offer for information about sources of advice and support: [Parents/carers help and support](#)

14. Attendance is everyone's business so in many of these cases school will not be able to fully support a pupil without the assistance of a range of other agencies or where appropriate, access to alternative provisions.

#### UNIVERSAL SUPPORT - Getting Advice

- Develop and maintain a whole school culture that promotes the benefit of high attendance.
- Develop strong relationships and work jointly with families, listening to and understanding barriers to attendance and working in partnership with families to remove them.
- Ensure reasonable adjustments are made within the school day to ensure those children with SEND are supported well
- Monitor attendance robustly, ensuring first day calling for any further absences and follow-up conversations with pupil and parents, arranging meetings and home visits as necessary.
- Regularly monitor and analyse attendance and absence data

See Appendix 4

| STAGE 1 – Getting Help                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 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| <p><b>NOTICING PERIOD:</b></p> <ul style="list-style-type: none"> <li>● Make contact with the parent/s to arrange a meeting to discuss attendance – if unable to make contact send a supportive letter with meeting information on.</li> <li>● Where attendance is becoming a concern, ensure the link between school and home is strengthened by key emotional available staff, to discuss absences and ask if there is anything school can help with. Any improvement in attendance should be acknowledged</li> <li>● Where a pattern of absence is at risk of becoming, or becomes, problematic schools should draw on these relationships and listen to and understand the barriers the pupil or family is experiencing. In doing so, schools should take into consideration the sensitivity of some of the reasons for absence and understand the importance of school as a place of safety and support rather than reaching immediately for punitive approaches. School should attempt to resolve any issues that arise from these conversations and offer support and advice</li> <li>● Where the pupil has a Social Worker, school should inform them of any unexplained absences. Ensure attendance is an action on the plan.</li> <li>● School should: <ul style="list-style-type: none"> <li>- Check if pupil has a SEND Support Plan/EHCP/access plan/behaviour plan or equivalent. Is this meeting the identified need? Are there any unidentified needs?</li> <li>- Talk to staff, parents and the child about any possible in-school difficulties (relationships, academic pressures, changes in behaviour etc) to identify any circumstances that could be impacting on attendance, including anything that may be causing concern outside of school.</li> <li>- Establish whether there are any medical needs.</li> <li>- Provide the opportunity to catch up on any work missed through absences.</li> <li>- Where parents cite medical issues as the reason for absence, schools may wish to consider the use of a medical action plan, especially if there is a pattern of illness. Guidance on medical action plans can be found here:.</li> <li>- For pupils displaying anxiety around attending school: <ul style="list-style-type: none"> <li>- Offer a key adult who can meet the pupil at the start of the school day and provide support at other times,</li> <li>- Signpost to appropriate apps and online sources of support, skilled colleagues in school, the school counselling service or GP if appropriate. The School Nursing Service can also support schools by offering screening and support for young people who are struggling with their emotional health,</li> <li>- Refer to the Anxiety Based School Avoidance guidance documents.</li> </ul> </li> </ul> </li> <li>● Where there are early indications that things are not going well for the family and support needs may go beyond what the school can offer, school should offer early help to families through an Early Help Assessment (EHA). Where parents agree, a referral to the Team Around the School (TAS) may also be appropriate.</li> <li>● If the family already has an EHA and are part of the TAC/TAF process, school should collaborate with the lead professional to share concerns about attendance and ensure that it is considered as part of the relevant assessment and that actions are included in the child/family's plan. The same applies in cases where the pupil has a Social Worker; attendance should be addressed as part of the child/family's plan and multi-agency meetings.</li> <li>● School may wish to send a letter to all adults with parental responsibility or day-to-day care (this may include parents, step-parents and any other adults who are residing with and caring for the pupil) summarising the attendance issues and the support that has been offered and put in place.</li> </ul> | <p><b>ACTION: Stage 2 Letter</b></p> <ul style="list-style-type: none"> <li>● Stage 2 letter should be sent to parents and other adults with 'day to day care' of the pupil. This should include an invite to a School Attendance Meeting and may include an invite for the pupil (if age appropriate).</li> <li>● School Attendance Meeting should be chaired by an appropriate member of the school staff and discussions at the meeting should summarise absences, explore reasons for absence and strategies to improve attendance.</li> <li>● If parents have previously refused the offer of early help and an EHA, this should be offered again by school.</li> <li>● If parents cite medical issues as reasons for absence at this stage, a <a href="#">medical action plan</a> could be offered.</li> <li>● The meeting should agree a clear, personalised plan with actions and targets. Should be reviewed every <b>4-6 weeks</b> and have clear achievable targets for all involved.</li> <li>● The school should consider additional support for a child, including access to alternative provision (if appropriate) and/or support from other educational LA agencies.</li> <li>● If the child is already in the TAC/TAF or Child Protection process, a separate School Attendance Meeting is not necessary as actions to address attendance should be included in the child/family's plan. Schools should liaise with the lead professional to ensure that is the case.</li> <li>● School should continue to monitor attendance robustly, ensuring first day calling for any further absences and follow-up conversations with parents and child (where appropriate). It is important for the child to maintain the sense of belonging, therefore it's important to maintain regular contact with family, including meetings and home visits as necessary.</li> <li>● Where the child has a Social Worker, school should inform them of any unexplained absences.</li> <li>● If there are significant improvement, continue to monitor for an agreed period and decide to remain on Stage 2 for an agreed period of time or end the Attendance Contract if the review period is successfully completed.</li> <li>● If attendance isn't improving and there are continued sporadic absences – review the support offer and explain to families the next steps if there is no improvement in engagement.</li> <li>● At end of each of the review periods, school should conduct a review of the case to decide whether to start the formal process which may lead to enforcement. This review should include consideration of attendance records (authorised &amp; unauthorised absences), parental contact and child view where appropriate. Advice can be sought from Education Welfare Officer (EWO) as to next steps.</li> <li>● School must maintain accurate register marks in the event that prosecution is considered.</li> <li>● Make a sickness return to the LA if a child is recorded in the attendance register as absent using code I (unable to attend because of sickness) and there are reasonable grounds to believe the pupil will have to miss 15 days consecutive or cumulative within the year (only once a year).</li> <li>● Make a missing from school referral to the LA if a child has 10 unauthorised consecutive school days.</li> </ul> |

## FORMAL SUPPORT: Getting More Help

15. In the majority of cases, pupils will be supported in school, but where there are multiple issues requiring other service involvement, schools, local authorities, and other services should work together to provide more intensive whole family support to address them as soon as it becomes clear they would benefit from it.

16. Multi-disciplinary support should build on the existing offers in the LA and the family should receive a single assessment, plan and where necessary, a single lead practitioner. This should be from the team or service best placed to support the family and their needs. Rather than holding a significant number of cases, The School Attendance Support Team should support and advise the family's lead practitioner on any attendance related elements of the plan, be part of the team around the family if necessary, and step in to lead any formal support or legal intervention when required.

### STAGE 3 (Referral to LA for consideration of formal support / prosecution)

The Education Welfare Service recognise that there will be cases where parents will not engage or attend a meeting to discuss attendance, despite the best efforts of schools. Therefore, schools can request a school attendance enforcement referral at Stage 3 by completing an on-line referral form [Request a school attendance enforcement referral - Stockport Council](#). Enforcement action is only likely to be appropriate in cases where it is considered that the parent could be doing more to improve attendance, therefore, there needs be evidence that:

- The school has clear actions taken at Stage 1 and Stage 2 to show a substantial support package has been offered will be needed in order to proceed to a Stage 3 enforcement referral.
- Parents not engaging with the School Attendance Contract or accessing any voluntary support offer eg EHA **AND** More than 10 sessions of unauthorised absence in a rolling period of 10 school weeks.

AND Referrals should identify why they believed parents could do more.

Referrals for enforcement for children that are part of a TAC/TAC or Child Protection process should not be made without consultation with the lead professional or Social Worker.

#### STAGE 3A (Notice to Improve)

- A Notice to Improve (NTI) is a formal notice from the Local Authority that a child's attendance is not acceptable. It provides parents with a final opportunity to improve attendance so as to avoid an EPN fine. It also points parents to sources of support in approving attendance.
- The idea is to focus the family's attention on the need to improve attendance over a short period of time. NTI's are most likely to be appropriate in cases where there do not appear to be any significant barriers to improved attendance such as medical issues, mental health issues, bullying issues or complex family issues.
- The NTI advises the parent(s) that if there are any unauthorised absences in the next 15 school days, they will receive an EPN.
- EPNs issued following service of NTIs, alongside those issued in respect of unauthorised Leave of Absence, will be subject to the new rules on Education Penalty Notice escalation. This means that the first fine issued to a parent in relation to a particular child for offences of either type will be £80 if paid within 21 days or £160 if paid within 22- 28 days. Fines for second offences of either type will be for £160 payable within 28 days. No further Education Penalty Notices can be issued if two have already been issued within a rolling three year period, so alternative strategies, including prosecution, will need to be considered.
- At the end of the 15-day period, the Education Welfare Service will check attendance and determine whether or not to issue an EPN
- In all cases, attendance will be monitored by the Education Welfare Service for a period of 3 months following the initial 15 day period.
- At the end of the 3 month period, if attendance still meets the threshold for enforcement, i.e. at least 10 unauthorised absences in 10 school weeks, the case will be assessed for suitability for further enforcement, and moved to Stage 3(b) Parent Contract Meeting if appropriate, led by the Education Welfare Officer.

#### STAGE 3B (Local Authority Attendance Contract)

- There is no obligation on the school or local authority to offer an attendance contract, and it may not be appropriate in every instance, but an attendance contract should always be explored before moving forward to an education supervision order or prosecution.
- An attendance contract is a formal written agreement between a parent and the school or local authority to address irregular attendance at school or alternative provision. It is not legally binding but allows a more formal route to secure engagement with support where a voluntary early help plan has not worked or is not deemed appropriate. An attendance contract is not a punitive tool, it is intended to provide support and offer an alternative to prosecution. Parents cannot be compelled to enter an attendance contract, and they cannot be agreed in a parent's absence.
- The aim is that all involved work in partnership to gain views on any underlying issues and how it's believed they should be addressed. If parents don't attend the meeting then all reasonable attempts to engage the parents should be made and these should be recorded.
- For cases in TAC/TAF or subject to a Child Protection Plan, a School Attendance Meeting and plan are not necessary as attendance should be addressed as part of the TAC/TAF or CP process. Evidence would need to include actions taken in relation to attendance with outcomes, and confirmation that the decision to make an enforcement referral was discussed and agreed through this process.
- All Attendance Contracts should include:
  - Details of the requirements for parents to comply
  - A statement from school / LA agreeing to provide support to help parents meeting the requirements
  - A statement by the parents that they agree to comply with the requirements for the time period specified.
  - A plan of action – including the support offered, who will be the main support and the timeframe in which it will happen.
  - Additional support provided to help the parent satisfy those requirements

## LEGAL INTERVENTION: Urgent Response

17. Where all voluntary support options are unsuccessful or are not appropriate (e.g. an unauthorised holiday in term time), the local authority's school Attendance Support Team should liaise with school and the early help lead practitioner or social worker (where applicable) to take forward attendance legal intervention to formalise support and/or enforce attendance.

| <b>STAGE 4: (Formal Legal Intervention / Prosecution)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| Parents not engaging with the Attendance Contract will be discussed at a legal planning meeting and a joint decision will be made to offer a formal legal intervention or go down the prosecution route.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>EDUCATION SUPERVISION ORDER</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>PROSECUTION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <ul style="list-style-type: none"> <li>• ESOs are made through the Family or High Court, rather than Magistrates Court. They give the local authority a formal role in advising, helping and directing the child and parent(s) to ensure the child receives an efficient, full-time, suitable education. For the duration of the ESO, the parent's duties to secure the child's education and regular attendance are superseded by a duty to comply with any directions given by the local authority under the ESO. The order initially lasts for one year, but extensions can be secured within the last 3 months for a period of up to 3 years at a time.</li> <li>• If the LA progress with an ESO, parents will be notified in writing and a meeting arranged to discuss the process.</li> <li>• The LA retains the responsibility of the ESO, however, schools should work in partnership and provide support and supervision where appropriate.</li> </ul> <p>Where a parent persistently fails</p> <ul style="list-style-type: none"> <li>• to comply with the directions given under the ESO, they may be guilty of an offence and can be prosecuted in the Magistrate Court for persistent non-compliance with the order and will be liable to a fine of up to £1,000.</li> </ul> | <ul style="list-style-type: none"> <li>• Prosecution in the Magistrates Court is the last resort where all other voluntary and formal support or legal intervention has failed or where support has been deemed inappropriate in the circumstances of the individual case. Where it is decided to pursue prosecution, only local authorities can prosecute parents and they must fund all associated costs, including in the preparation of court documentation.</li> <li>• The decision to prosecute rests solely with the LA as an independent prosecuting authority, but in deciding whether to prosecute the local authority may wish to consider: <ul style="list-style-type: none"> <li>- The level of engagement from the parent and whether prosecution is the only avenue left to demonstrate the severity of the issue to the parent and/or cause parental engagement with the support they require.</li> <li>- Whether all other legal interventions have been considered and are not appropriate or have been tried and have not worked.</li> <li>- Whether statutory children's social care intervention would be more appropriate in the case (including a Child in Need or Child Protection Plan), especially where absence is severe.</li> <li>- The parent(s)' response to the Notice to Improve and/or warning(s) and/or evidence given in the interview under caution – including any statutory exemptions to prosecution that might apply (see below).</li> <li>- The Attorney General's guidelines for public prosecutors, including public interest tests and equalities considerations.</li> </ul> </li> </ul> |

## **APPENDIX 1:**

### **How to complete the Medical Action Plan:**

#### **Before the Meeting:**

- 1) Insert Adswood Primary school logo and contact details into the header on the Medical Action Plan. If you are seeking medical evidence from a GP or other health professional, they will need to know which school is requesting and feel confident that the request is legitimate. If possible seek consent to access medical information from the parent.
- 2) Discuss the case with the school nurse and ask the nurse to access information if you have consent from parents.
- 3) Print out the current school year's attendance.
- 4) Ask the parent to bring all the information they have about the medical condition and the health professionals and services involved to the meeting.
- 5) Consider whether to invite the pupil to the meeting.

#### **At the Meeting:**

- 1) Be specific as possible in describing the medical difficulties with particular focus on how these are impacting on overall school attendance when completing the form.
- 2) Ensure that there are clear links between the medical difficulties and the interventions planned to mitigate against them. Make sure interventions are achievable within the available resources.
- 3) Make sure any attendance target set is realistic and reflects the level of medical need identified and intervention plan put in place.
- 4) Put in place a short review period, no more than one academic month.
- 5) If attendance has improved, ensure that this is acknowledged.
- 6) If it is agreed that medical evidence is legitimate, but the pupil could be attending school more regularly, continue with the review process and consider whether an offer of early help (i.e. completion of an Early Help Assessment and TAC process) is required for additional support.
- 7) If it is agreed that there is no medical reason for continued absence, progress to Stage 2 of the Attendance Intervention Staged Process.

## APPENDIX 2:

### Medical Action Plan

Adswood Primary School  
Garners Lane, Stockport, SK3 8PQ  
Tel: 0161 483 5003



| PUPIL NAME                      |  | DATE OF BIRTH                       |  | YEAR GROUP             |  | TEACHER/KEY ADULT NAME                                    |  |
|---------------------------------|--|-------------------------------------|--|------------------------|--|-----------------------------------------------------------|--|
|                                 |  |                                     |  |                        |  |                                                           |  |
| SEND:                           |  | Action Plan Chair/Coordinator:      |  |                        |  |                                                           |  |
| Attendance %:                   |  | No of broken weeks:                 |  | No. of days off school |  |                                                           |  |
| <b>People invited to attend</b> |  | <b>Name:</b>                        |  | <b>Signature:</b>      |  | <b>Date of Medical Action Plan</b>                        |  |
| <b>Pupil</b>                    |  |                                     |  |                        |  | <b>GP Consent gained?</b> Y / N                           |  |
| <b>Parent / Carer</b>           |  |                                     |  |                        |  | <b>Consent form completed</b> Y / N<br>Date:              |  |
| <b>School Staff</b>             |  |                                     |  |                        |  | <b>Decision made to authorise absence?</b> Y / N<br>Date: |  |
| <b>School Governor</b>          |  |                                     |  |                        |  |                                                           |  |
| <b>School Nurse</b>             |  |                                     |  |                        |  | <b>Name of person authorising</b>                         |  |
| <b>Other Agencies</b>           |  |                                     |  |                        |  | <b>Date of Review</b>                                     |  |
|                                 |  |                                     |  |                        |  |                                                           |  |
| <b>Medical Issues</b>           |  | <b>Medical Evidence provided by</b> |  |                        |  | <b>Date &amp; Type of evidence</b>                        |  |
|                                 |  |                                     |  |                        |  |                                                           |  |
|                                 |  |                                     |  |                        |  |                                                           |  |
|                                 |  |                                     |  |                        |  |                                                           |  |
| <b>Identified Difficulties</b>  |  | <b>Intervention Required</b>        |  |                        |  | <b>Provided by / Date</b>                                 |  |
|                                 |  |                                     |  |                        |  |                                                           |  |
|                                 |  |                                     |  |                        |  |                                                           |  |
|                                 |  |                                     |  |                        |  |                                                           |  |

|                                |  |  |
|--------------------------------|--|--|
|                                |  |  |
| <b>Target Attendance Level</b> |  |  |

**Medical Consent Form**

|                                                  |  |
|--------------------------------------------------|--|
| Parent's Name:                                   |  |
| Parent's Address:                                |  |
| Child's Name:                                    |  |
| Child's DOB:                                     |  |
| Child's Address ( <i>if different to above</i> ) |  |
| Medical Professional's Name:                     |  |
| Medical Professional's Address:                  |  |

I understand that by signing this form I grant permission for a representative of the school to seek medical information regarding the named child in relation to his or her attendance at school or otherwise.

Parent's Signature: .....

Date of Signature: .....

## APPENDIX 4:

### ATTENDANCE IMPROVEMENT PLAN:

Adswood Primary School  
 Garners Lane, Stockport, SK3 8PQ  
 Tel: 0161 483 5003



| School name:                                                                                                                     |                | Date:           |          |
|----------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------|----------|
| Name of Pupil:                                                                                                                   |                | Meeting Number: |          |
| Attendees:                                                                                                                       |                |                 |          |
| Apologies:                                                                                                                       |                |                 |          |
| Reason for Meeting: eg Improving attendance plan, education of sick children education provision, reintegration support plan etc |                |                 |          |
| Brief Background and issues that are affecting attendance:                                                                       |                |                 |          |
| General Notes of Meeting:                                                                                                        |                |                 |          |
| Actions                                                                                                                          | Responsibility | When            | Outcomes |
|                                                                                                                                  |                |                 |          |
|                                                                                                                                  |                |                 |          |
|                                                                                                                                  |                |                 |          |
| Date of next meeting:<br>Agenda:                                                                                                 |                |                 |          |



## APPENDIX 5: Suggested Regular Attendance Monitoring Tasks – School Attendance Officers / Attendance Leads

| Weekly                                                                                                                                                   | Fortnightly                                                                                                                                                                                                               | Half Termly                                                                                                                                                                                                                                                                      | Termly                                                                                                                                                                 | Annually                                                                                                                                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Update attendance display with key information about whole school attendance and any other agreed groups.                                                | Run and analyse:<br>- Broken Weeks report<br>- Persistent Absence report<br>- Percentage Absence report                                                                                                                   | Run and analyse full set of data reports<br>- Group Analysis by Attendance Category<br>- Group Analysis by Code<br>- Group Analysis by Vulnerability<br>- Persistent Absence Report -student threshold summary report<br>- Broken Weeks Report<br>- Percentage Attendance Report | Run full set of data reports – review in meeting with SENDCO, attendance lead, SLT attendance champion/lead, pastoral staff, attendance governor (if one is appointed) | Update newsletter information for parents at start of school year – opening times, reporting absences, broken weeks, holidays in term time, updating parent contact details |
| Send out certificates / tutor emails etc for best class/tutor group – or similar                                                                         | Review attendance – consider where individual's absence sits in relation to the Attendance Intervention Process and take appropriate steps                                                                                | Discussion with school nurse re those who are on/could be on medical absence plans                                                                                                                                                                                               | Confirm dates for Targeting Support meeting with LA Attendance Officer                                                                                                 | Set up attendance tracker at start of the year<br>Review/update attendance policy                                                                                           |
| Lates sessions by members of SLT – inquisitive rather than punitive focus                                                                                | Discussion with SENDCO/ pastoral staff re children with EHCPs or SEND Support plans who are absent, and any pupils where unidentified/unmet SEND may be a barrier to attendance                                           | Discussion with relevant senior staff members re vulnerable groups and Pupil Premium groups                                                                                                                                                                                      | Report to governors on attendance include vulnerable groups                                                                                                            | September – make enquiries into whereabouts of new starters who do not arrive as expected. Report to LA as missing from school on day 10 if unresolved                      |
| Consider sending out any Public Health publications in the case of large scale illnesses (chicken pox, scarlet fever, norovirus)                         | Report to SLT Attendance Lead re persistent absence/broken weeks                                                                                                                                                          | Check progress of those on school-led action plans at Stage 2 of the Attendance Intervention Process                                                                                                                                                                             | Review any cases where school have imposed requirement to provide evidence of medical evidence for any absences – is this still appropriate?                           | Confirm TAS meeting dates for the year if possible                                                                                                                          |
| Monitor children missing from school – has anyone reached 10 day unauthorised absence threshold? Complete any returns to the LA in line with legislation | Review any child on a part-time timetable. Any restriction on full-time attendance must have the full, informed consent of parent and be regularly reviewed with a view to increasing to full-time as quickly as possible | Consider EPN requests for those known to be on holidays in term time                                                                                                                                                                                                             | Focus on attendance successes in the newsletter each term                                                                                                              | Audit whole year data against DfE Data set (seek advice from Education Welfare Service if necessary)                                                                        |
| Headteacher or relevant SLT member to review any Leave of Absence requests                                                                               |                                                                                                                                                                                                                           | Discuss children causing concerns at TAS meetings                                                                                                                                                                                                                                |                                                                                                                                                                        | March (primary schools) – consider how you will ensure all pupils attend the SATs and what to do if they are late/absent                                                    |

| Weekly | Fortnightly | Half Termly | Termly | Annually                                                                                |
|--------|-------------|-------------|--------|-----------------------------------------------------------------------------------------|
|        |             |             |        | Summer (secondary schools) – confirm decision regarding study leave period for students |

## **APPENDIX 6: Model Letters**

Although it is also recommended that contact in person is made before letters are sent however, this may not always be possible. See model letters

### **General messages about the importance of attendance**

Dear Parent/Carer of {Pupil Name}

We need your help, please.

{Pupil Name} has been absent for {#} days of school, which is equal to {#} lessons missed so far this school year.

We know that sometimes our pupils cannot come to school because they are really unwell - and that's the right thing to do for them and other students. Medical advice is clear however that children with mild illness will often be well enough to attend - for example if they have a cough, or cold, without a temperature. The NHS guidance [Is my child too ill for school? - NHS \(www.nhs.uk\)](https://www.nhs.uk/conditions/when-to-call-the-doctor/) is designed to support parents in their decision making about mild illness.

We also know that pupils fall behind their friends and classmates when they miss school. At \_\_\_\_\_ school we want the amount of missed education to be reduced as much as possible. We believe that our community is stronger together, with all of our pupils in school, on time, every day. We are building life skills, life-long friendships and preparing your child for future success.

We also know that you can have a significant effect on {Pupil Name} absences this academic year and we would really appreciate your help and support ensuring that {Pupil Name} comes to school every day so that they can get the best possible outcomes. We want to work with you to achieve this – please call or come in and meet {Pupil Name}'s class teacher or tutor if there is anything we can do to support you or your child. We appreciate that every family's situation is unique.

We will be in touch again to request a meeting with you if we have ongoing concerns about your child's attendance.

Kind regards

### **Absence due to lateness**

Dear Parent/Carer of {Pupil Name}

We have noticed that {Pupil Name} is often absent in the mornings.

We know that mornings can be difficult for some pupils, and we are keen to help to improve {Pupil Name}'s attendance.

We would love to talk to you to discuss avenues for support to help {Pupil Name} attend school well. Please contact [insert staff member name and contact information] to make an appointment or arrange a phone call.

Kind regards

## **Absence due to school worries**

Dear Parent/Carer of {Pupil Name}

{Pupil Name} was absent for {#} lessons due to exam worries so far this school year.

We know that parents worry about their children's mental health. Parents and carers must remember that mild anxiety, whilst sometimes a difficult emotion, is normal. In many instances, attendance at school may serve to help with the underlying issue more than being away from school, which might exacerbate it. Rather than keeping {Pupil Name} away from school during this time we would much rather you encourage your child to attend school and you let us know about your worries so that we can work together on supporting your child.

It is important to us that all children feel safe and supported when attending school and we are keen to work with you to ensure that {Pupil Name} feels this way when attending school.

We would love to meet with you to discuss avenues for support. Please contact [insert staff member name and contact information] to make an appointment or arrange a phone call.

Kind regards

## **APPENDIX 7:**

### **STAGE 2 LETTER**

Dear

Re: School Attendance and Name of child

I am writing to you again regarding [child's name] school attendance, enclosed is a copy of their attendance certificate. This falls below the expected level of attendance recommended for children to achieve their potential and is therefore a concern.

Please be aware that where pupils have a substantial amount of absence, schools are expected to investigate the reasons for this and, where appropriate, request medical evidence before agreeing to authorise further absences.

I have arranged a School Attendance Meeting on [date/time] so that we can work with you to discuss the reasons and barriers that may currently be affecting your children's attendance.

It is important that you and [child's name] attend. If you cannot attend at that time, please contact me as soon as possible so that we can rearrange the meeting for a mutually convenient time. If you are experiencing any difficulties, we may be able to refer to Early Help for some additional support.

I would like to remind you that parents/carers have a legal responsibility to ensure their children receive efficient, full-time education. As per the definition in section 576 of the Education Act 1996 it is your responsibility to ensure (child's name) attends school regularly and on time. Should there be further sessions of unauthorised absence we will consider referring you to the Local Authority who may issue a penalty notice or initiate legal proceedings against you under the Education Act 1996 (Section 444).

Yours sincerely

**Or**

I am writing to you again regarding [child's name]'s school attendance. Enclosed is a copy of their current attendance certificate for your information.

At present, [child's name]'s attendance is below the level expected to support their learning, progress, and wellbeing, and this is a concern.

Please be aware that when a pupil has a high level of absence, schools are required to look into the reasons for this. In some cases, we may need to request medical evidence to better understand the needs of [child's name]. Where absences have been long-term or repeated for the same reason seeking medical evidence may be appropriate to assist in assessing whether your child requires additional support to help them to attend more regularly, and whether the illness is likely to prevent the child from attending for extended periods.

To help us understand the situation and work with you to improve attendance, I have arranged a School Attendance Meeting on [date/time]. If you are unable to attend the meeting, please contact me on [phone number] as soon as possible so that an alternative appointment can be arranged. If you are finding things difficult at home or need extra support, we may be able to refer you to Early Help or other services who can offer additional support.

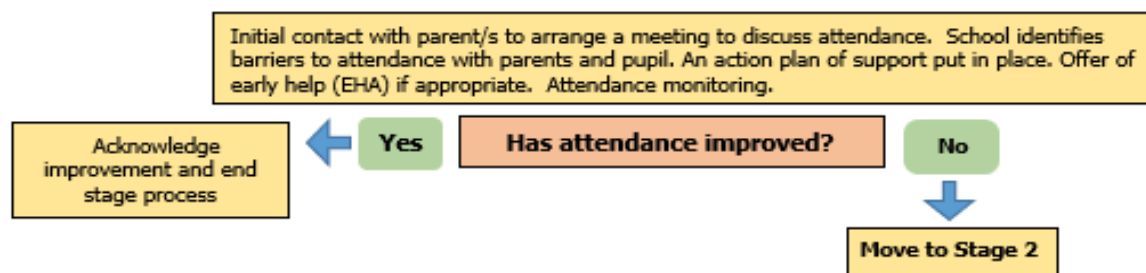
I would like to remind you that parents and carers have a legal responsibility to ensure their children receive efficient, full-time education. Under Section 576 of the Education Act 1996, it is your duty to make sure that [child's name] attends school regularly and on time. If there are further sessions of unauthorised absence, we may have to refer the case to Stockport Local Authority. This could lead to a penalty notice being issued or legal proceedings under Section 444 of the Education Act 1996.

We appreciate your cooperation and look forward to working with you to support [child's name]

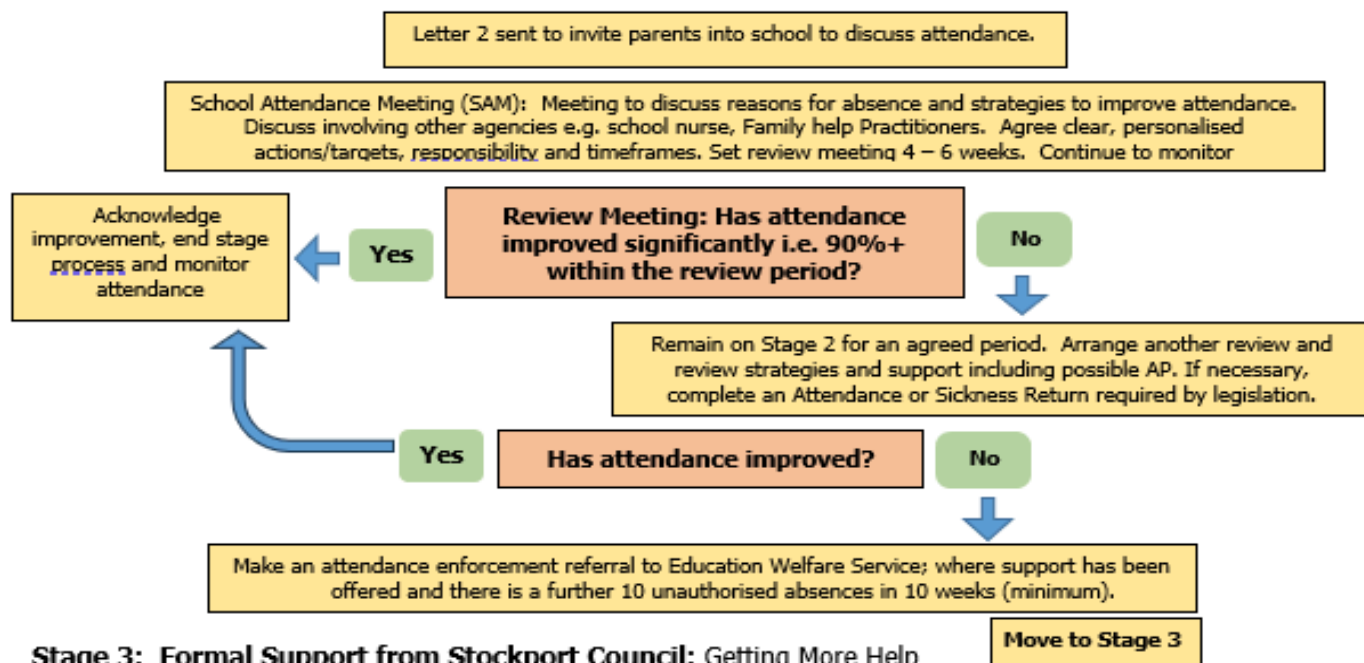
## APPENDIX 8:

### ATTENDANCE INTERVENTION STAGED PROCESS: Sporadic absence (non-holiday)

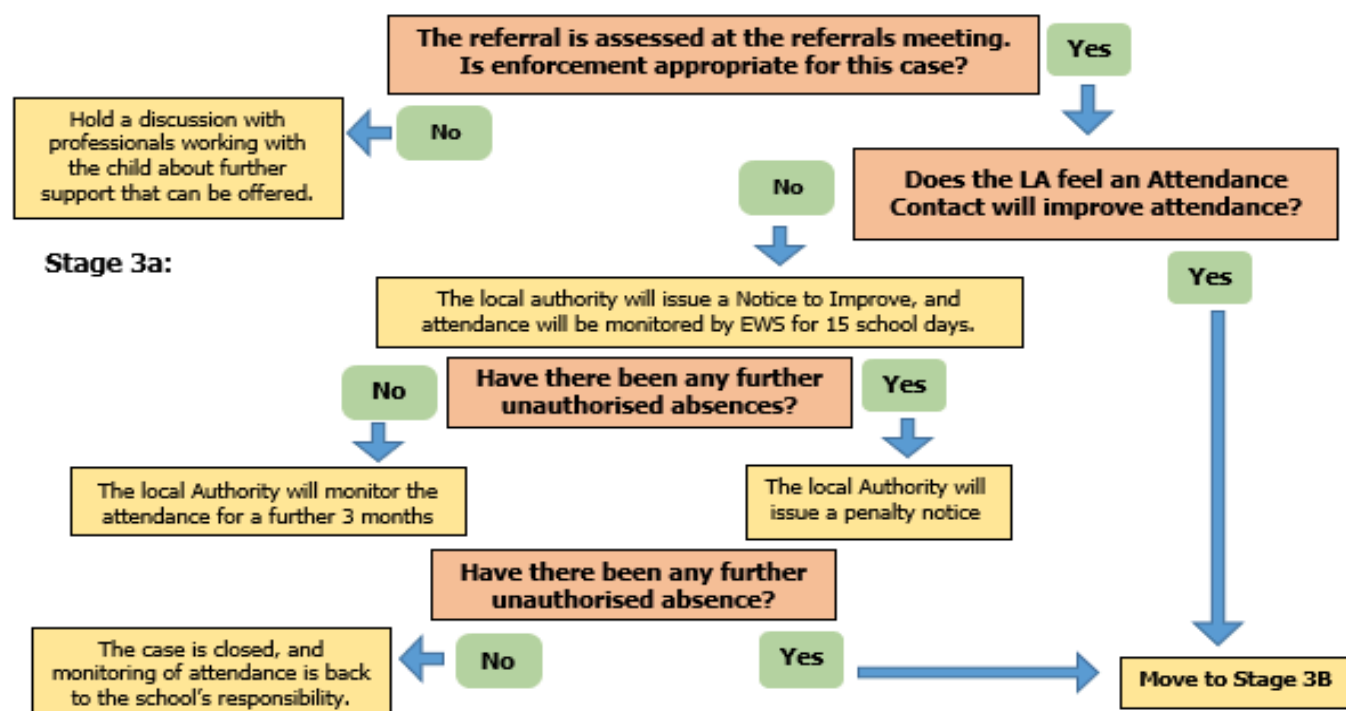
#### Stage 1: Attendance causing concern: Getting Help



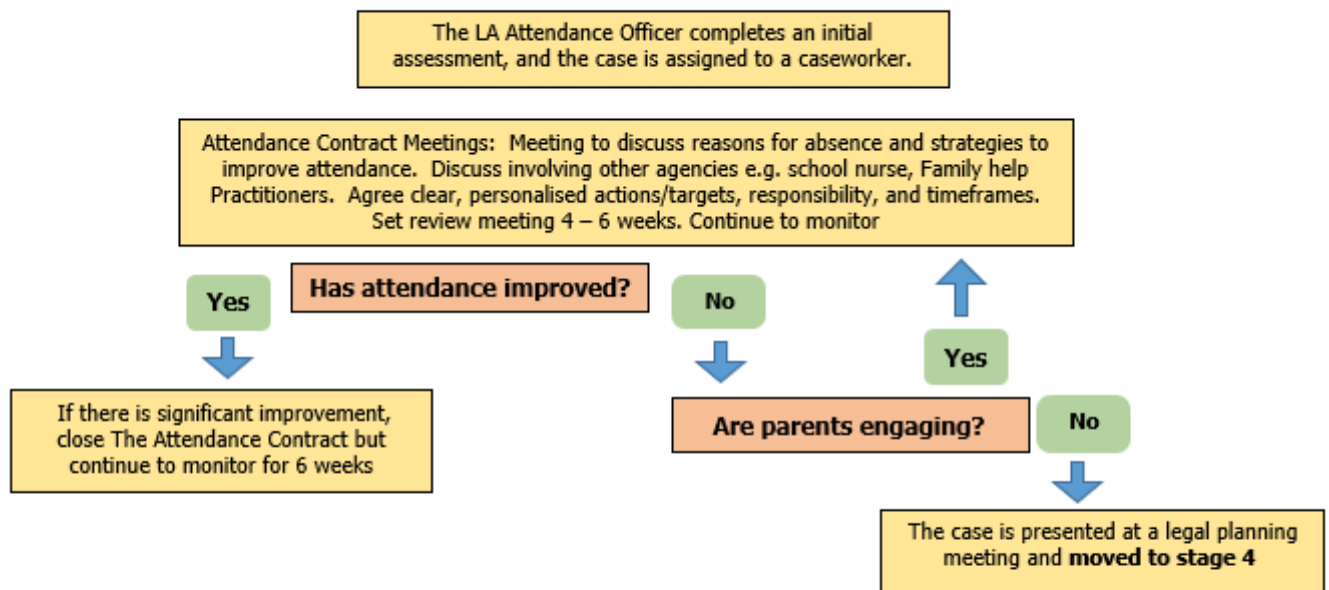
#### Stage 2: Attendance causing a concern: Getting Help



#### Stage 3: Formal Support from Stockport Council: Getting More Help



### Stage 3B: Formal Support Attendance Contract: Getting More Help



### Stage 4: Formal Support Attendance Contract: Urgent Response

