



Hackney Education Penalty Notices & Prosecutions

Guidance for referrers

September 2024

A referrer's guide to Penalty Notices in Hackney

An overview of the guidance

This guidance covers:

- A. An introduction to the National Framework for Penalty Notices and the support first model
- B. Guidance on education related fixed penalty notices and prosecutions, including when it is appropriate to refer to the local authority and whether this should be for a fixed penalty notice or a prosecution.
- C. The supporting evidence that is required to be submitted as part of the referral.
- D. What the local authority will do upon receipt of a referral.

National Framework for Penalty Notices

- All state funded schools must consider whether a penalty notice is appropriate in each individual case where one of their pupils reaches the national threshold for considering a penalty notice
- The threshold is 10 sessions of unauthorised absence in a rolling period of 10 school weeks.
- This can be met with any combination of unauthorised absence (e.g. 4 sessions of holiday taken in term time plus 6 sessions of arriving late after the register closes all within 10 school weeks).
- These sessions do not need to be consecutive

When should a school refer for legal intervention?

As absence is so often a symptom of wider issues a family is facing, schools and local agencies should always work together to understand the barriers to attendance and provide support. In the first instance, schools should seek to work with parents to understand any barriers to attendance and agree how all partners can best work together to resolve them. This voluntary support should be tailored to remove barriers in school and help pupils and parents to access the support they need outside of school. This might include an early help or whole family plan where absence is a symptom of wider issues.

Where absence persists and voluntary support is not working or not being engaged with, partners should work together to explain the consequences clearly and ensure support is also in place to enable families to respond. Depending on the circumstances this may include formalising support through a parenting contract or consideration of an Education Supervision Order.

The use of legal enforcement measures to improve attendance should be used by schools as a last resort when all other interventions to improve a child's attendance have been unsuccessful or not engaged with. Evidence that schools have undertaken this staged approach work strengthens the case that it is in the public interest to undertake enforcement action against a parent. Should the local authority bring a prosecution against parents, the magistrates court will want to see what steps the school has taken to work with parents to bring about an improvement in attendance.

Expectations of support

Support is defined as any activity intended to improve the pupil's attendance, not including issuing a penalty notice or prosecution. Examples of support can be found in Appendix 16. The local authority's decision on whether sufficient support has been provided before issuing a penalty notice should be treated as final. The expectations of the evidence provided in order to be able to issue a penalty notice is outlined below and is in line with the support first model in the statutory guidance. Please note, if there is not sufficient evidence of support, Hackney Education may need to contact the referrer for further information and will not be able to process the request.

We recognise that some schools use online portals to send letters and communication. Please note, in order for correspondence to be included in any court work, letters must be sent in the post. Letters must include the parents/ carers address and name.

Legal framework

Under s.7 of the Education Act 1996 parents have a legal duty to ensure that: every child of compulsory school age shall cause him to receive efficient full-time education suitable:

- a) to his age, ability and aptitude, and
 - b) to any special educational needs he may have, either by regular attendance at school or otherwise.
- As part of their general duty to safeguard pupils schools must monitor pupil's attendance through the daily register. Schools should also take steps to address poor or irregular attendance and where required refer to the local authority.

Local authorities can issue fixed penalty notices (s.444A Education Act 1996) and have the power to prosecute parents (s.446 Education Act 1996) for failing to ensure their children's regular attendance at school (s.444 Education Act 1996).

There are two offences parents may commit under section 444 of the Education Act 1996.

The first offence is under section 444(1), which 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. This is an absolute liability offence, and it is only necessary to prove that the child did not attend school regularly rather than establish parents culpability in the act.

The second offence is under section 444(1a), which states: If in the circumstances mentioned in subsection (1) the parent knows that his child is failing to attend regularly at the school and fails to cause him to do so, he is guilty of an offence. Under the offence it is necessary to prove that not only did the child not attend school regularly but also that the parent is aware of this and is failing to ensure that they do.

Parents whose children are excluded from school and have a duty to ensure their children are not present in a public place during school hours for the period of exclusion (up to the first five days). Failure to ensure this means they may be liable to prosecution by the local authority under s.103(3) of the Education & Inspections Act 2006 by the local authority, which states: If the excluded pupil is present in a public place at any time during school hours on a school day ..., the parent commits an offence. Local authorities may choose to issue a penalty notice (s.105 Education & Inspections Act 2006) rather than bring a prosecution.

Local authorities can also prosecute parents for failing to comply with a school attendance order (s.443 Education Act 1996).

FPN or prosecution?

Fixed Penalty Notices are intended to prevent the need for court action following an unsuccessful offer of voluntary early help support to address the barriers preventing regular attendance at school. Penalty notices are an alternative to prosecution. They should be considered at an early stage before any absences become entrenched or more problematic. They can also be used where a prosecution would be considered too heavy-handed.

When considering whether to issue a penalty notice schools must ask:

- *Is support appropriate in this case?*

Yes - Schools are expected to continue with the existing support without a penalty notice or issue a Notice to Improve if that support is not working or is not being engaged with. A penalty notice can be issued if either has not worked.

No - For example a holiday in term time, a penalty notice should be issued subject to the other conditions below.

- *Is a penalty notice the best available tool to improve attendance and change parental behaviour for this particular family or would further support or one of the other legal interventions be more appropriate?*
- *Is issuing a penalty notice in this case appropriate after considering any obligations under the Equality Act 2010 such as where a pupil has a disability?*

Local authorities must consider:

- *Is it in the public interest to issue a penalty notice in this case given the local authority would be responsible for any resulting prosecution for the original offence in cases of non-payment?*

How to make a referral for a FPN?

Penalty notices must be issued in line with the locally agreed Code of Conduct which has been created in line with the National Framework for Penalty Notices. In order for a penalty notice to be considered, a pupil must have been absent for 10 sessions in a rolling 10 week period. We have an online referral system. The form can be found and completed [here](#). Please ensure that you attach all the required evidence that is outlined below.

What evidence is required to issue a fixed penalty notice?

G code (term time holidays only)

In line with the national code of conduct, the threshold for issuing fines for term time holidays has been increased. If there has been **10 sessions in a 10 week period** that is G coded then schools should consider issuing a Penalty notice. This does not need to be consecutive.

Evidence required

- Attendance grid signed and dated by the headteacher
- Evidence of the holiday request
- The letter (appendix 1) to both parents from the school, including the warning that parents may be liable for prosecution or;
- If parents do not request the leave of absence, then you must send a letter (appendix 2) outlining how you have identified that the absence was due to holiday.

G code and other unauthorised absences

If the threshold for the referral for the penalty notice has been met using a mixture of G code and other unauthorised codes (U, O, N), then these cases will be reviewed individually to identify whether further support is required before issuing the penalty notice. Referrers may therefore want to submit further evidence to demonstrate the additional support that they have offered.

If a holiday is taken less than the 5 day threshold, please issue a warning letter (appendix 3) to prevent further absences taking place.

Unauthorised absence (U, O, N)

Where possible, please try to submit grids without N codes as, in line with the guidance, these will need to be changed 5 days after the date to the most appropriate code.

Parents engage but the support is not working to improve attendance

Schools will adapt this to meet the systems outlined in their attendance policy. However Hackney Education expects the following in order to issue a FPN. Please note, this must be done within a 10 week period and any evidence of support outside of the 10 week period will not be able to be taken into account.

- A letter (appendix 4) sent home outlining current attendance, any patterns that are being noticed and an open offer of support
- A phone call or an attendance surgery, followed by a letter (appendix 5) explaining the agreed actions and outlining the discussions. A period of review will be agreed
- Invite (appendix 6) to an attendance support meeting in which patterns and barriers to attendance are discussed and support that can be offered at a school level. If the barriers to attendance require a wider support network other than school this should also be considered in the meeting (WAMHs/ CAMHs/ EPS/ Early Help). A time period of review should also be agreed. This meeting should be minuted (appendix 13) and a letter (appendix 7) sent to the parents.
- Review of the attendance plan. This could be done as a review (appendix 14) or by creating an attendance contract (appendix 15). A letter (appendix 8) should be sent to the parent sharing the plan. If attendance has not improved, this letter will also explicitly tell parents that further unauthorised absences may result in a fine.

A penalty notice may then be issued if attendance has not improved (according to the agreed goals) and it is agreed that this is the best tool to improve attendance. If the family is open to other statutory and non-statutory services, the network must agree that this is the most appropriate next step.

Parents do not engage with the support offered

- A letter (appendix 1) sent home outlining current attendance, any patterns that are being noticed and an open offer of support
- Unanswered phone calls. Try to call at least 3 times, at different times of the day. If possible, leave a voicemail explaining the purpose of the call. Send a letter (appendix 9) that you have attempted to call but that was not successful. In this letter invite the parent to an attendance support meeting.
- Invite for a meeting (appendix 10)
- If the parent does not attend the attendance support meeting, continue the meeting in their absence and send the minutes and letter to the parents (appendix 11). This meeting should be minuted in an attendance support plan or similar (appendix 13)
- Evidence of conducting home visits
- Contact MASH for advice where appropriate
- If attendance does not improve and parents continue to not engage, a notice to improve letter (appendix 12) should be sent to the parents.

A penalty notice may then be issued if attendance has not improved (according to the agreed goals) and it is agreed that this is the best tool to improve attendance. If the family is open to other statutory and non-statutory services, the network must agree that this is the most appropriate next step.

Please note, if the parent is not engaging and the attendance is declining, you do not need to wait the 10 weeks to submit the referral if you have the evidence of the support that you have offered and that the absences meet the national threshold of 10 UA sessions within 10 weeks.

The decision to prosecute

The local authority may prosecute parents who fail to ensure their child attends school regularly or when excluded from school, their child is found in a public place without reasonable justification. It does not have a duty to prosecute every case that is referred to it. Penalty notices allow parents to pay a fine and discharge themselves from liability for prosecution for the specific offence. These are issued in line with our local Code of Conduct.

When considering a case for prosecution the Courts Officer has to consider a number of factors as set out in the Code for Crown Prosecutors before deciding to proceed.

These are:

1. A duty to be fair, independent and objective, not letting any personal views about ethnic or national origin, sex, religious beliefs, political views or the sexual orientation influence decisions and not being affected by improper or undue pressure from any source.
2. Obligation to act in the interest of justice and not solely for the purpose of obtaining a conviction.
3. Duty to review, advise on and prosecute cases, ensuring that the law is properly applied, that all relevant evidence is put before the court and that obligations of disclosure are complied with.
4. Duty to act in accordance with the Human Rights Act 1998.
5. Application of the evidential test – is the evidence sufficient to provide a realistic prospect of conviction?
6. Application of the public interest test – is it in the public interest to proceed with a prosecution?

If the local authority decides not to prosecute it could decide to:

- Take No further action;
- Administer a Simple Caution; and/or
- Apply for an Education Supervision Order or a Parenting Order

Applying for an Education Supervision Order must be considered prior to bringing a prosecution. The decision on whether to recommend whether a case is prosecuted will be made by the Courts Officer in consultation with the Principal Officer, Pupils Out of School. All prosecutions will be authorised by the Director of Inclusion and Education (or senior officers with delegated authority from the Director to do so on their behalf).

The evidential test

For the local authority to issue a legal intervention there needs to be sufficient evidence that an offence has been committed. Section 444 of the Education Act 1996 also sets out the limited grounds that a parent can cite in defence against an offence under that section. These are known as statutory defences and apply in relation to both attendance penalty notices and prosecutions. These are the only legally permitted defences to the offence.

The statutory defences are:

- The head teacher authorised the absence.
- The child could not attend because of sickness or 'unavoidable cause' in an emergency.
- Case law has held that stress arising from bullying, behavioural or mental health difficulties or a 'chaotic lifestyle' should not be considered an 'unavoidable cause'.
- The child was absent on a day exclusively set apart for religious observance.
- The school is outside of the statutory walking distance of the child's home and the Local Authority has a duty to make travel arrangements in relation to the child under and has failed to discharge that duty ○ (NB - Children in London receive free travel on public transport and therefore this defence does not apply except in where a child with special educational needs is eligible for local authority provided transport and that provision has not been made)
- The child is not registered at the school and the parents are providing a suitable alternative education.
- The parents' trade or business requires them to travel from place to place.

Section 103(4) of the Education and Inspections Act 2006 states that parents have defence against the offence of their child being in a public place during school hours whilst excluded from school if they can prove they had reasonable justification for them being in a public place. Prior to referring to the local authority for a legal intervention, referrers must satisfy themselves that the evidential test has been met and that none of the statutory defences apply.

A referral to the local authority is the referrer's confirmation that they believe the evidential test has been met, however it will be for the local authority to determine this. Should Hackney Education's Court Officer believe that a referral from a school does not meet the evidential test, they must consult with the Principal Officer, Pupils Out of School. The Principal Officer, Pupils Out of School will then be responsible for considering the available evidence and then determining whether the evidential test has been met. If the Principal Officer, Pupils Out of School confirms that the evidential test has not been met then the Courts Officer will contact the referrer and advise them of this and why. The advice of the

legal department may be sought in circumstances where whether or not the evidential test has been met is unclear.

The public interest test

It is not sufficient that the evidential test is met to implement a legal intervention. Any action also needs to be in the public interest. This applies to both issuing penalty notices and prosecutions. The primary consideration in determining whether the public interest test has been met is ensuring the child or young person receives the education they are entitled to. Therefore, in considering whether or not it is in the public interest to proceed with legal interventions any decisions must first and foremost be child centred, with any factors relating to parental circumstances being secondary considerations.

Circumstances where it is not in the public interest to pursue legal interventions against parents/carers include children who are:

- no longer of compulsory school age;
- regularly missing from home; or who are subject to a child in need or child protection plan or in the care of the local authority.

This is not a definitive list and other factors may be relevant in determining whether a legal intervention is in the public interest. Where a child has a social worker it may not be in the public interest to bring a prosecution. In determining whether or not it is in the public interest to bring a prosecution, schools should consult with the child's social worker prior to making a referral to the local authority. Things to consider in relation to prosecutions involving children with a social worker are:

- the family circumstances;
- the reason why the child has a social worker;
- whether attendance is improving or declining; and
- the level of parents' support for the agreed child in need or child protection plan.

This is not a definitive list and other factors may be relevant in making a public interest judgement.

Should a school decide to refer a case for a legal intervention contrary to the opinion of the child's social worker, Hackney Education will determine whether it is in the public interest to proceed considering the views of those involved. The decision on whether the public interest test has been met rests with Hackney Education. Hackney Education reserves the right to proceed with a legal intervention if it determines that it is in the public interest to do so.

A referral to the local authority is the school's confirmation that they believe the public interest test has been met, however it will be for the local authority to determine this. Should the local authority Court Officer believe that a referral from a school does not meet the public interest test, they must consult with the Principal Officer, Pupils Out of School. The Principal Officer, Pupils Out of School will then be responsible for considering the available evidence and then deciding on whether it is in the public interest to proceed.

If the Principal Officer, Pupils Out of School confirms that the public interest test has not been met then the Court Officer will contact the school, setting or attendance practitioner and advise them of this and why. Advice may be sought from the legal department in circumstances where the public interest test is unclear.

Role of the School Attendance Support Team

The School Attendance Support Team Coordinator will act as Hackney Education's Court Officer and will lead on all statutory education legal interventions relating to attendance. They are responsible for education related prosecutions, penalty notices and other associated orders). This will include preparing cases for court and authorising penalty notices where appropriate.

Upon receipt, the School Attendance Support Team will quality assure referrals to ensure that they are of a suitable standard to be presented in court, that the required work has been undertaken at Stages 1 and 2 and that they are compliant with the rules of evidence.

The School Attendance Support Team will be responsible for liaising with parents/carers, schools, Hackney's education lawyer and other professionals as part of the process. The service will maintain accurate records using the agreed database systems to enable accurate reporting to Hackney Education management; the Department for Education and in response to FOI requests as required.

Letter templates

Term time leave (G code)

Appendix 1

HOLIDAY REFUSAL LETTER - PERMISSION REQUESTED

School letterhead

Parent name

Parent address

Dear (please ensure that you write the names of the parents that you want to issue the fine to)

Re: **DOB:**

Registered pupil at:

Thank you for your recent Term Time Leave request.

I am writing to advise you that your request for authorisation for your children/ child to be absent from School between the XXXXX and XXXXX has been refused and therefore will be treated as an unauthorised absence.

Our attendance policy states leave during term time is not permitted unless there are exceptional circumstances. As the circumstances for this absence have not been considered as exceptional by the Principal/ Head teacher, the absences will remain unauthorised.

The school may send a Penalty Notice referral to the Local Authority (Hackney Education), in relation to the period of unauthorised absence. Penalty Notices (S.444A/ZA Education Act 1996) are used as a deterrent to prevent a pattern of unauthorised absence from school developing. They are issued by post to a pupil's home, where a pupil has been absent from school without acceptable cause. Unreasonable absence from school includes holidays and travelling away from home during term time.

- If issued with a **first** penalty notice, the parent must pay £80 within 21 days, or £160 within 28 days.
- If a **second** penalty notice is issued to the same parent in respect of the same pupil, the parent must pay £160 if paid within 28 days.
- A **third** penalty notice cannot be issued to the same parent in respect of the same child within 3 years of the date of the issue of the first penalty notice. In a case where the national threshold is met for a third time within those 3 years, alternative action will be taken instead.

If the payment has not been made after 28 days, this may lead to prosecution through the Magistrates' Court.

Poor school attendance has a detrimental impact not only on a child's academic attainment but also on their social well-being; therefore, it is important that your child attends school regularly and punctually during term time.

If you have any queries or would like to talk to anyone about attendance please do not hesitate to contact XXXXXX on XXXXXXXXXX or by email at XXXXXXXXXX@XXXXXXX

Appendix 2

HOLIDAY REFUSAL LETTER - PERMISSION NOT REQUESTED

School letterhead

Parent name

Parent address

Dear (please ensure that you write the names of the parents that you want to issue the fine to)

Re: DOB:

Registered pupil at:

I am writing to you in relation to (pupil's name) recent unauthorised absence from School between the (date) and (date). We have established that this absence was due to an unauthorised holiday during term time.

This decision has been reached by (name of person that has identified the reason for the absence) as (explanation of how it has been reached). No evidence has been provided for this absence. As we are unaware of any exceptional circumstances that might apply, the absence has **not been authorised**. However, if you feel that the absence was due to an exceptional circumstance or illness, please provide supporting evidence to this effect no later than (Date – **allow two weeks**) and I may be able to reconsider my decision.

The school may send a Penalty Notice referral to the Local Authority (Hackney Education), in relation to the period of unauthorised absence. Penalty Notices (S.444A/ZA Education Act 1996) are used as a deterrent to prevent a pattern of unauthorised absence from school developing. They are issued by post to a pupil's home, where a pupil has been absent from school without acceptable cause. Unreasonable absence from school includes holidays and travelling away from home during term time.

- If issued with a **first** penalty notice, the parent must pay £80 within 21 days, or £160 within 28 days.
- If a **second** penalty notice is issued to the same parent in respect of the same pupil, the parent must pay £160 if paid within 28 days.
- A **third** penalty notice cannot be issued to the same parent in respect of the same child within 3 years of the date of the issue of the first penalty notice. In a case where the national threshold is met for a third time within those 3 years, alternative action will be taken instead.

If the payment has not been made after 28 days, this may lead to prosecution through the Magistrates' Court.

Poor school attendance has a detrimental impact not only on a child's academic attainment but also on their social well-being; therefore, it is important that your child attends school regularly and punctually during term time.

If you have any queries or would like to talk to anyone about attendance please do not hesitate to contact XXXXXX on XXXXXXXXXX or by email at XXXXXXXXXX

Appendix 3

PENALTY NOTICE WARNING LETTER

School letterhead

Parent name

Parent address

Dear XXXXXXXXXX,

RE: XXXXXXXXXXXXXXXXXXXX DOB: XX/XX/XXXX

Registered pupil at: XXXXXXXXXXXXXXXXXXXX

PENALTY NOTICE WARNING

You have received this warning letter because between (date and date) your child missed X number of sessions due to term time leave. Their current attendance is now X%. If your child has any further recorded unauthorised absences, including arrival after registration, a penalty notice may be issued.

Penalty Notices (S.444A/ZA Education Act 1996) are used as a deterrent to prevent a pattern of unauthorised absence from school developing. They are issued by post to a pupil's home, after at least one warning, and in cases where a pupil has been absent from school without acceptable cause. Unreasonable absence from school includes truancy, holidays taken in school term time, and persistent late attendance after the School Register has closed.

A penalty notice may result in the parents of pupils who had unauthorised absence from school (i.e. any absence school did not give permission for) being subject to a maximum fine of £160 per parent.

School is here to support you and your family. If you have any concerns about attendance or your child's welfare please do not hesitate to contact XXXXXXXXXXXXXXXX either via email on XXXXXXXXX or via phone on XXXXXXXXX.

Your sincerely

Unauthorised Absence - Parents engage in support

Appendix 4

Letter 1 - supportive and acknowledging patterns of absence

SCHOOL LETTERHEAD

Parents name

Parents address

Dear (parents/ carers name)

RE: (name of student)

DOB:

Current attendance:

I am writing to inform you that (pupil's name) currently has (97-95%) attendance. He/ She currently has (number of sessions) of unauthorised absences.

I have attached the attendance grid for your information. From the grid you can see (explain if there are any patterns that you can see/ if the attendance is patchy and sporadic). As the designated attendance officer, I am here to support you and your family to overcome any barriers to school attendance and think about the appropriate support that could be provided to ensure that (name of pupil) is able to attend school everyday. Attending school everyday is essential to support learning, develop social skills and friendships, as well as building good habits for adult life.

If you would like to arrange a meeting to discuss this further, please do not hesitate to contact me and I would be happy to find a time convenient to yourself. My contact details are at the bottom of this letter.

If I do not hear from you, I will continue to monitor the attendance and if it does not improve, I will be in contact again.

Yours sincerely,

School Attendance Officer

(email address)

(phone contact)

Appendix 5

Letter 2 - phone call follow up

SCHOOL LETTERHEAD

Parents name

Parents address

Dear (parents/ carers name)

RE: (name of student)

DOB:

Current attendance:

Many thanks for your time on the phone on (write the date). As discussed, (pupil's name) currently has (95-93%) attendance. He/ She currently has (number of sessions) of unauthorised absences.

I have attached the attendance grid for your information.

Over the phone we discussed:

(please make a note of some of the things that were discussed under the following headings)

- Patterns of attendance
- Barriers to attendance
- Agreed next steps to support improving attendance

As discussed, I will continue to monitor (pupil's name) attendance for the next (3/4/5/6) weeks.

If attendance improves in this time then we will continue with the support and no further meetings will be required. However, if attendance does not improve in this time then I will invite you to attend a meeting in person at the school to discuss further strategies of support that could be explored. I am confident that we can work together to improve your child's attendance going forward.

Yours sincerely,

Appendix 6

Letter 3 - invite to support

SCHOOL LETTERHEAD

Parents name

Parents address

Dear (parents/ carers name)

RE: (name of student)

DOB:

Current attendance:

Following on from our previous meeting/ phone conversation, I am writing to inform you that (name of pupil's attendance) has not improved and is currently (X%) which is a great cause for concern. As a school we aim for 97% attendance for all our pupils.

I would like to invite you to attend a meeting at the school on (date) at (time) in order to review the support that we currently have in place and think together about any other support that would be helpful to improve (pupil's) wellbeing and attendance.

I have attached the attendance grid for your information.

Yours sincerely,

School Attendance Officer

(email address)

(phone contact)

Appendix 7

Letter 4 - support meeting follow up letter

SCHOOL LETTERHEAD

Parents name

Parents address

Dear (parents/ carers name)

RE: (name of student)

DOB:

Current attendance:

Many thanks for attending the meeting on (date) at (location). As discussed, (pupil's name) currently has (X%) attendance. He/ She currently has (number of sessions) of unauthorised absences. This is a great cause for concern as it means they are missing out on a lot of learning and opportunities to develop their social and emotional skills.

I have attached the attendance grid and a copy of the attendance support plan for your information. As discussed, I will continue to monitor (pupil's name) attendance for the next (3/4/5/6) weeks.

If attendance improves in this time then we will review and continue with the support. However, if attendance does not improve in this time then you need to be aware that parents/carers have a legal responsibility to ensure that their child/ren attend the school at which they are a registered pupil regularly and punctually. Failure to do so may result in you receiving a Penalty Notice Fine and/or prosecution under section 444(1) of the Education Act 1996.

I am hopeful that with the additional support that is put in place, we will be able to improve the attendance together.

Yours sincerely,

School Attendance Officer

(email address)

(phone contact)

Appendix 8

Letter 5 - review meeting follow up letter

SCHOOL LETTERHEAD

Parents name

Parents address

Dear (parents/ carers name)

RE: (name of student)

DOB:

Current attendance:

Many thanks for attending the meeting on (date) at (location). As discussed, (pupil's name) currently has (X%) attendance. He/ She currently has (number of sessions) of unauthorised absences. This is a great cause for concern as it means they are missing out on a lot of learning and opportunities to develop their social and emotional skills.

I have attached the attendance grid and a copy of the attendance support plan review for your information.

Delete as appropriate

Either:

As discussed in the meeting, as attendance has improved with the support in place, I will continue to monitor (pupil's name) attendance for the next (3/4/5/6) weeks. Please attend the next review meeting on the (insert date) at (location).

Or:

As discussed in the meeting, attendance has not improved despite the significant support that is in place. You need to be aware that parents/carers have a legal responsibility to ensure that their child/ren attend the school at which they are a registered pupil regularly and punctually. We will continue to support and carry out the agreed actions as outlined in the support plan. You now have 4 weeks in which to improve your child's attendance. During this time your child must show significant improvements in attendance and avoid having any unauthorised absences from school during this period. Should we not see sufficient improvement and further unauthorised absences take place during this period, a Penalty Notice may be issued. Please note, a Penalty Notice may be issued as soon as an unauthorised absence is recorded.

- If issued with a **first** penalty notice, the parent must pay £80 within 21 days, or £160 within 28 days.
- If a **second** penalty notice is issued to the same parent in respect of the same pupil, the parent must pay £160 if paid within 28 days.
- If absences continue after this point then prosecution may be considered

I am hopeful that with the additional support that is put in place, we will be able to improve the attendance together.

Yours sincerely,

School Attendance Officer
(email address)
(phone contact)

Unauthorised Absence - Parents do not engage in support

Appendix 9

Letter 1 - DNA phone call/ attendance surgery follow up

SCHOOL LETTERHEAD

Parents name

Parents address

Dear (parents/ carers name)

RE: (name of student)

DOB:

Current attendance:

I have tried to contact you on three separate occasions via telephone in order to discuss (pupil's name) attendance which is now at (95-93%) He/ She currently has (number of sessions) of unauthorised absences. This is of great concern as it means that they are missing a lot of learning and opportunities to develop their social and emotional skills.

I have attached the attendance grid for your information.

The purpose of this call was to discuss:

- Patterns of attendance
- Barriers to attendance
- Agreed next steps to support improving attendance

I would now like to invite you into a meeting on (date) at (time) in school in order to discuss this further.

Please do not hesitate to contact me so that we can explore different strategies of support. I am confident that we can work together to improve your child's attendance going forward.

Yours sincerely,

School Attendance Officer

(email address)

(phone contact)

Appendix 10

Letter 2 - invite to support meeting

SCHOOL LETTERHEAD

Parents name

Parents address

Dear (parents/ carers name)

RE: (name of student)

DOB:

Current attendance:

Following on from my previous correspondence, I am writing to inform you that (name of pupil's attendance) has not improved and is currently (X%) which is a great cause for concern. As a school we aim for 97% attendance for all our pupils.

I would like to invite you to attend a meeting at the school on (date) at (time) in order to review the support that we currently have in place and think together about any other support that would be helpful to improve (pupil's) wellbeing and attendance.

I have attached the attendance grid for your information.

Yours sincerely,

School Attendance Officer

(email address)

(phone contact)

Appendix 11

Letter 3 - DNA support meeting

SCHOOL LETTERHEAD

Parents name

Parents address

Dear (parents/ carers name)

RE: (name of student)

DOB:

Current attendance:

Unfortunately you failed to attend the meeting on (date) to discuss (name of pupil's absence). Myself and (name other members of staff present) went ahead with this meeting to discuss steps that we as a school can take to support improving attendance. Please see enclosed an attendance plan to show the discussions from the meeting.

Please contact me to discuss this plan. We will be reviewing the plan on (date) at (name of school). If this is not convenient for you, please let me know and I would be happy to rearrange it.

I have attached the attendance grid for your information.

Yours sincerely,

School Attendance Officer

(email address)

(phone contact)

Appendix 12

Letter 4 - Notice to improve

**School Attendance
Notice to Improve**

(Please read this letter carefully)

School attendance is hugely important. For your child to gain the full benefit from their education, for their learning, wellbeing, and wider development, they need to attend on time, every day possible. If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school or fails to attend regularly the child's parent may be guilty of an offence under s.444 Education Act 1996.

You, «**FORENAME**» «**SURNAME**» are a parent/carer of «**Students_Name**», (called in this notice "the pupil") who is a registered pupil at «**School_Name**». The school have offered support to you and your family to try and help improve «**Students_Name**»'s attendance, including:

Please bullet point all the support that you have offered here

Unfortunately, despite the support that was offered to your family, attendance remains a cause for concern. Between «**WARNING_START_DATE**» and «**WARNING_END_DATE**» the pupil failed to attend regularly at «**School_Name**», which resulted in 10 sessions (half days) or more of unauthorised absences being recorded. Please see the attached registration certificate for details.

You now have twenty school days (4 weeks) in which to improve your child's attendance. During this time your child must show significant improvements in attendance and avoid having any unauthorised absences from school during this period. Should we not see sufficient improvement and further unauthorised absences take place during this period, a Penalty Notice may be issued. A penalty notice is charged at £160 if paid within 28 days. There is usually the opportunity to pay a reduced amount of £80 if paid within 21 days.

NB – A Penalty Notice may be issued as soon as an unauthorised absence is recorded.

If you wish to discuss this notice, or discuss what further support is available, please contact our team as soon as possible:

Contact Name
Name of Team/Service
Address

Telephone:

Yours sincerely

Documents to evidence support

Appendix 13
Attendance Support Plan

Name:	Age:	Year/ Form:
Date of meeting:	Attendees:	
Current attendance:	Unauthorised absence:	Review date:

What are the current attendance patterns?
•
What are the current barriers to attendance?
•
What are the impacts to the attendance at the moment?
•
What are the protective factors at the moment?
•
What professionals have been or are currently involved with the young person?
•

What has the school tried so far to improve attendance?
•
What have parents tried so far to improve attendance?
•

Actions

Attendance target:		Sessions in consideration:	
Who?	What?	By when?	

Pupil		
Parent		
School		
Other		
Date and time of next review:		

Appendix 14

Attendance Support review meeting

Name:	Age:	Year/ Form:
Date of meeting:	Attendees:	
Current attendance:	Unauthorised absence:	Goal:

Targets from previous meeting:	
Progress towards target:	
General Discussion:	
Things going well:	
Barriers/ things to consider:	•

Agreed actions:	
School	•
Parent	•
Child	•
Other agencies	•

Appendix 15
Attendance Contract

Attendance Support review meeting

Name:	Age:	Year/ Form:
Date of meeting:	Attendees:	
Current attendance:	Unauthorised absence:	Goal:

Targets from previous meeting:	
Progress towards target:	
General Discussion:	
Things going well:	
Barriers/ things to consider:	<ul style="list-style-type: none">•

Agreed actions:	
School	<ul style="list-style-type: none">•
Parent	<ul style="list-style-type: none">•
Child	<ul style="list-style-type: none">•
Other agencies	<ul style="list-style-type: none">•

Attendance target:	
Timescale for improvement:	
Date of review meeting:	

I confirm that this Attendance Contract was agreed by all present (all to sign)

Appendix 16

In school support could include, but is not limited to:

- Breakfast and afterschool club
- Regular check-ins with a trusted member of staff
- Plans for a soft start to the day/ early arrival
- Friendship group
- Restorative conversations
- Interventions planned during certain lessons, for a limited time period, if this is causing attendance difficulties
- Reward chart/ increase in points earned
- Visual timetable for home to support with morning and evening routines
- Wake up calls/ text messages
- Buddy system
- Period kit bag
- Agreement to take pain killers during menstrual cycle
- Packed lunch/ lunch in quiet area
- Quiet area offered during breaktime and lunchtime

External support offer:

- Discussion of YP at the TAS meeting
- Young Hackney referral
- Early Help referral
- Children and family hub support
- CAMHS
- First Steps
- GP
- Family Coaches
- EPS
- SALT
- SAST
- Specialist teachers
- WAMHs clinician
- MHST

