

# Attendance Policy



**Signed:**

**Date:**

**Review Date:**

Our overall ambition in all we do is to ensure our pupils have excellent opportunities to develop into:

- ambitious, capable learners, ready to learn throughout their lives
- enterprising, creative contributors, ready to play a full part in life and work
- ethical, informed citizens of Wales and the world
- healthy, confident individuals, ready to lead fulfilling lives as valued members of society.

### Introduction

Regular attendance at school is essential to ensure uninterrupted progress and to enable children to extend their potential. The attendance pattern for all children is monitored weekly with the school seeking to work actively with parents to ensure a regular pattern is maintained. We expect all children on roll to attend every day, when the school is in session as long as they are fit and healthy enough to do so. We do all we can to encourage the children to attend, and to put in place appropriate procedures to support this. We believe that the most important factor in promoting good attendance is development of positive attitudes towards school and learning.

Poor attendance can seriously affect each child's:-

- attainment in school
  - relationships with other children and their ability to form lasting friendships
  - confidence to attempt new work and work alongside others
- Each child's attendance can be summarised:

**Holidays**

In total there are **175 non-school days** a year. This gives families the opportunity to:

- Spend time together
- Go on family visits and days out.
- Go on holiday
- Go shopping
- Attend routine appointments

Students are not granted leave of absence unless there are exceptional circumstances.

Any such absences are at the discretion of the Headteacher.

Taking a holiday during term time, seriously affects your child's attendance and in turn their attainment.

If an unauthorised holiday is still taken, this may result in a Fixed Penalty Notice being served.

Attendance should be a priority. If there are any problems please contact school immediately.

**Attendance Facts**

If your child attends school 100% they will be able to make the best of all the opportunities available to them.

Children who have very good attendance are more likely to gain 5 or more A-C GCSEs or equivalent qualifications.

91.1% attendance = missing 17 days of school in one year.

Missing 17 days a year also means dropping 1 GCSE grade (on average).

Children with poor attendance are less likely to gain 5 A\*- C GCSEs.

82.1% attendance = missing 34 days of school in one year.

Poor attendance will have a serious impact on education, work ethic and life chances.

A student who ends the school year on 90% attendance will have missed four complete weeks of school.

90% over 5 years at secondary school equates to half a school year.

**Under 92%**  
Missing more than 2 weeks of education

**95%**  
Missing in excess of two weeks of education

**100%**  
Not missing any lessons during term time

**Red Light**  
A serious loss of learning which is likely to have a detrimental effect on your child's Achievement and Life Chances.

**Amber Light**  
Absent from the classroom for up to three weeks and the loss of a significant amount of education.

**Green Light**  
Present for all lessons activities and social time

Whatever possible please make medical and dental appointments outside of school hours.

**The Law**

The Education Act 1996 requires parents to ensure their children of compulsory school age receive efficient full-time education. The law says that parents/Carers whose children of compulsory school age are absent from school without good reason are committing an offence.

**The Local Education Authority can issue a fixed penalty notice for unauthorised absence.**

A Fixed Penalty Notice can be issued where a student has accrued 10 unauthorised absences in term time (AM and PM count as separate absences) or for late registrations (more than 10 occasions in one term) or for truancy. If paid within 28 days, the fine is £60. If paid after 28 days, but within 42 days the penalty will be £120. If the penalty is not paid in full by the 43rd day legal action can result.

You need to be aware that, although you may provide a reason for absence, it is the school which decides if the absence is recorded as authorised or unauthorised.

If there are any problems, please contact school immediately.

**Payment**

Arrangements for payment will be detailed on the penalty notice and the WCBC website.

Non-payment of a penalty notice will trigger prosecution brought under Section 444 of the Education Act 1996. Further details are available in Wrexham County Borough Council's Local Code of Conduct.

If you fear your child has not attended school, please telephone the school immediately.

If you have ANY concerns about attendance, please do not hesitate to contact the school or the ESW for your school.

ESW details for your school can be found in the reception area.

If you require further information please contact your Headteacher or The Education Enrichment and Intervention Service  
Wrexham County Borough Council,  
Lambpit Street, Wrexham. LL11 1AR  
Telephone: 01978 298991  
Email: [education@wrexham.gov.uk](mailto:education@wrexham.gov.uk)

**EDUCATION SOCIAL WORKER SERVICE**

**FIXED PENALTY NOTICES**

**For unauthorised absence from school**

The greater the attendance the greater the achievement

**Punctual and regular school attendance is an essential requirement for successful learning from the time a child starts school**

[www.wrexham.gov.uk](http://www.wrexham.gov.uk) / [www.esw.wrexham.gov.uk](http://www.esw.wrexham.gov.uk)

Non-attendance is an important issue that is treated seriously. However, each case is different and the school acknowledges that no one standard response will be appropriate in every case. Consideration is given to all factors affecting attendance before deciding what intervention strategies to apply. Non-attendance is an important issue that is treated seriously. However, each case is different and the school acknowledges that no one standard response will be appropriate in every case. Consideration is given to all factors affecting attendance before deciding what intervention strategies to apply.

- a) In every case, early intervention is essential to prevent the problem from worsening. It is essential that parents keep the school fully informed of any matters that may affect their child's attendance; they are reminded of this duty in the school prospectus. **School will keep parents informed about their child's attendance through termly reports and an annual report at the end of year.**
- b) Prior to the engagement of the ESW, the 'Home-School Liaison Officer' will make contact and letters will issued to parents clearly defining the concerns within school regarding a pupils' absence. It is hoped that a quick response and change in levels of absence will prevent the need for ESW involvement.

Further details regarding roles and responsibilities is identified in the appendix to this policy.

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## Principles

### Arrival and Registration

All children should be in the school ready to register at 8.55am each day. The register is taken twice a day. A day counts as two attendances. Morning registration ends at 9.25am. If a child arrives after the registration period, he/she will be marked in as 'Late'.

### **Parental Responsibility**

Throughout this policy the term 'parent' represents one parent, both parents, or carer with whom the child resides. Parents are informed of their responsibility to ensure their children attend regularly, in the school prospectus. Punctuality is also stressed as lateness impacts on learning not only for the individual, but the class as a whole.

Parents have a legal obligation to ensure their children receive a full time education. For Foundation Phase children, full time means 21 hours. For Key Stage 2 children, full time means 23.5 hours per week.

### **Illness and Medical Appointments**

When a child is unwell, parents should contact the school before 9.25am on the first day of absence informing the school of the reason for absence.

When a child is absent, the class teacher will record the absence in the register. As part of our Safeguarding Procedures, the 'Secretary' will endeavour to contact the parent or carer – especially if the child's attendance is currently being monitored.

### **General Guidance**

- a) Every effort should be made to arrange medical appointments outside school hours.
- b) An appointment card or verification by the doctors/ dentist/hospital may be required.
- c) If it is necessary for a child to be out of school for this reason, the child should be returned to school directly after the appointment.
- d) If your child is absent due to vomiting then they should not return to school for the next 24 hours after the last time that the child is sick. This is to reduce the risk of infection to other children and adults at the school.
- e) Medical certificates may be required for absence greater than five days.

### School Responsibility - THE LAW and School Attendance

Leave of absence for family holidays is restricted to 10 school days a year in special circumstances. The decision rests with schools, and families have no "right" to such leave. The application for leave must be made in advance by the parent the pupil normally resides with.

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The school is required to set overall absence targets – data will also be collected for the School Census. Specific responsibilities for attendance matters are identified in the appendix. The Headteacher holds responsibility for attendance matters, supported by the Attendance Officer and secretary. Where school attendance problems occur, the school will endeavour to work with parents in the interests of the child to achieve a resolution. **At the end of each term the school sends home a letter to inform parents of their child's attendance and which category it falls into, either 95-100% green, 90-94.9% amber or below 90% red.**

Attendance is recorded and data stored and analysed using the SIMS Attendance Module. It is a statutory duty for class teachers to call and maintain accurate registers; these are legal documents, and may be called for as evidence by the court. Class Teachers are legally responsible for marking their class attendance register twice per day at the start of each session.

The Headteacher, not parents, authorises absence. Absence for any reason during term time is discouraged. Absence known to be for the following reasons would be authorised:

- Illness
- Religious observance
- Attendance at medical appointments which cannot be made outside school hours.

#### Family Holidays/Absence during Term Time

The Governors recognise that pupil absence during term time can seriously disrupt a pupil's continuity of learning. Parents are therefore strongly urged to avoid booking a family holiday in term time. Parents do not have an automatic right to withdraw pupils from school for a holiday and in law, have to apply for permission in advance. Such permission is granted in accordance with arrangements made by the governing body and no more than ten school days in any academic year can be authorised. When application is made for authorised absence during term time, the Headteacher gives consideration to:

- The age of the child
- The nature of the proposed absence
- The timing of the proposed absence
- The attendance pattern in the present and previous academic years. Absence will not be authorised where attendance is lower than 85%
- The child's progress

#### **Examples of What May Constitute Exceptional Circumstances**

- To have a short absence to attend a family wedding, or a special family celebration (eg: an 80<sup>th</sup> birthday of a grandparent); or to attend a special family reunion; or to attend a special religious/cultural festival, may constitute an exceptional circumstance.
- If a parent, due to the nature of their work, cannot possibly take time off during the regular school holidays, then this might constitute an exceptional circumstance. This will need to be evidenced by a letter from the employer. Factors indicated above will

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still be taken in to account.

- To have a week's winter or summer holiday in school time, because the cost is cheaper during term time, does not constitute an exceptional circumstance.

When an absence is authorised, parents will be provided with written evidence which can be presented in the event of being stopped as part of a truancy sweep.

## Definitions

Every half-day absence has to be classified by the school (not by the parents) as either AUTHORISED or UNAUTHORISED. This is why information about the cause of each absence is always required, preferably in writing or by telephone.

### Authorised Absence

An absence is classified as authorised when a child has been away from school for a legitimate reason and the school has received notification from a parent or carer. Only the school can make an absence authorised.

### Unauthorised Absence

An absence is classified as unauthorised when a child is away from school without the permission of the Headteacher.

Unauthorised absences are those, which the school does not consider reasonable and for which no authorisation has been given. This includes:

- Parents keeping children off school unnecessarily
- Truancy before or during the school day
- Absences that have never been properly explained
- Holidays not agreed

Model School Letter 1

Your Ref/Eich Cyf

Our Ref/Ein Cyf

JG/DE/FPN

Date/Dyddiad

To

Ask for/Gofynner am

Direct Dial/Rhif Union

E-mail/E-bost

Dear

Re

Form %

I am writing to express my concern with regard to school attendance.

I will require written medical or other to enable me to authorise absence from (date).

Please contact School if you would like to discuss this matter.

Yours sincerely

Headteacher

Model School Letter 2 (Reminder)

Your Ref/Eich Cyf

Our Ref/Ein Cyf

JG/DE/FPN

Date/Dyddiad

To

Ask for/Gofynner am

Direct Dial/Rhif Union

E-mail/E-bost

Dear

Re

Form %

I wrote to you informing you that I would only accept written evidence to enable me to authorise absence.

I have not received the required evidence and the absences remain unauthorised.

I must inform you that if there is no significant improvement in attendance I will have to consider applying to the LEA for a Fixed Penalty Notice of £60.

Yours sincerely

Headteacher



Model School Letter 3 (invite)

To

Your Ref/Eich Cyf  
Our Ref/Ein Cyf  
Date/Dyddiad  
Ask for/Gofynner am  
Direct Dial/Rhif Union  
E-mail/E-bost

JG/DE/FPN

Dear

Re

Form %

I am writing to you to a meeting to discuss serious concerns that exist with regard to School attendance.

The meeting will take place at \_\_\_\_\_ on \_\_\_\_\_ in \_\_\_\_\_ .

Please contact school to confirm your attendance or to rearrange to a mutually convenient time on.

Yours sincerely

Headteacher

Cc: ESW

PM

Model School Letter 4 (Application)

To

Your Ref/Eich Cyf

Our Ref/Ein Cyf

JG/DE/FPN

Date/Dyddiad

Ask for/Gofynner am

Direct Dial/Rhif Union

E-mail/E-bost

Dear

Re

Form %

I am writing to you to inform you that I will be applying to the Local Authority to request a Fixed Penalty Notice of £60.

The School staff have written to you and arranged a meeting to discuss the concerns that exist with regard to the unauthorised absence that is recorded on our schools attendance register. These matters remain unresolved to date and no evidence has been received to enable me to authorise the absences.

Yours sincerely

Headteacher

Cc: ESW

PM

Fixed Penalty Notice

Fixed Penalty Notice for Unauthorised Absence

Headteacher's Application Checklist

Name of Child:

DOB:

School:

Year Group:

FSM

To be completed and returned with all relevant document and information.

Please complete all sections and tick boxes

Fixed Penalty Notice Application (Document 1) form completed fully and attached to this checklist:

- Yes – Please attach copy.
- No – If No, please confirm why?

.....

Have initial attendance letters from school been completed and sent to the Parent/Carer.

- Yes – Please attach copy.
- No – If No, please confirm why?

.....

Have subsequent reminder letters been sent to the Subject?

- Yes – Please attach copy.
- No – If No, please confirm why?

.....

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Have the Parent or Carer been invited to school for an interview to discuss the attendance concerns?

Yes – Please attach copy letter record of this interview

No – If No, why?

.....

Please note a record of the meeting (minutes) will be required and a certificate of attendance.

Have school considered a referral to your ESW to implement a 6 week Attendance Improvement Plan (AIP Document 3)

Yes – If Yes, please attach the plan and the outcome.

No – If No, why was this disconnected?

.....

Why do you consider that a Fixed Penalty Notice will result in improved attendance?

Signed: .....

WREXHAM COUNTY BOROUGH COUNCIL

CHILDREN & YOUNG PEOPLE SERVICE

LIFELONG LEARNING

## LOCAL CODE OF CONDUCT

## FIXED ALTY NOTICES FOR NON-ATTENDANCE AT SCHOOL

**Date of issue:**.....

**Review date:**.....

**This publication is available in Welsh on request.**

**Mae'r cyhoeddiad hwn ar gael yn Gymraeg ar gais.**

### 1. Introduction

This code of conduct will regulate Wrexham County Borough Council's approach to the issuing of Fixed Penalty Notices to parents who fail to ensure that their children attend school regularly.

In drafting this code, regard has been had to relevant education legislation, but in particular to:-

- The relevant provisions of the Education Act 1996;
- The Education (Penalty Notices) (Wales) Regulations 2013; and
- The Welsh Government's "Guidance on penalty notices for regular non-attendance at school" issued in September 2013 (document no: 116/2013).

### 2. Legal Basis and Rationale

Regular and punctual attendance of pupils at school is both a legal requirement and essential for pupils to maximise the educational opportunities available to them. Evidence shows that children with poor attendance are unlikely to succeed academically and they are more likely to not be in education, employment or training (also known as "NEET"). Young people who are NEET are likely to have a history of non-attendance and persistent absences in school years 10 and 11.

Section 7 of the Education Act 1996 (hereafter "the 1996 Act") places a legal duty on parents to ensure their child receives appropriate education. The term "parent" includes a person who is not a biological parent of a child but has parental responsibility, or a person who has care of a child.

Targeted intervention plays a vital role in resolving issues of poor school attendance. However, where this fails to have the desired effect, there are a number of sanctions available to local authorities to try to secure improvements.

Under section 444(1) of the 1996 Act, it is a criminal offence (of which the parent will be guilty) for a child to fail to attend his school regularly. Furthermore, section 444(1A)

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provides a separate offence where a parent fails to ensure that their child attends school regularly. Prosecutions under section 444 are brought by the local authority ("LA").

As an alternative to prosecution, sections 444A and 444B of the 1996 Act provide that certain cases of unauthorised absence can be dealt with by way of a penalty notice. A penalty notice is a fine of up to £120 and may be issued to a parent/carer as a result of a child's regular non-attendance at school.

The issuing of penalty notices must conform to all requirements of the Human Rights Act 1998 and equal opportunities legislation.

Wrexham County Borough Council ("WCBC") has the prime responsibility for developing the protocol within which all partners named in the Education (Penalty Notices) (Wales) Regulations 2013 will operate and WCBC's Education Social Work Service ("ESWS") will deliver this LA responsibility.

WCBC will continue to investigate cases of irregular attendance from school and following appropriate casework, instigate legal action if appropriate. However, penalty notices offer a means of swift intervention which WCBC will use to deal with issues of regular non-attendance before they become entrenched.

The issuing of penalty notices will be based on clear threshold criteria which will need to be applied consistently and equitably across WCBC. Any person authorised to issue a notice in WCBC must comply with the guidance set out in this code of conduct.

Parents/carers and pupils are supported at school and LA level to overcome barriers to regular attendance through a wide range of assessment and intervention strategies. Sanctions of any nature are for use only where parental cooperation in this process is either absent or deemed insufficient to resolve the presenting problem.

This sanction is a means of enforcing attendance where there is a reasonable expectation that its use will secure an improvement.

Officers, schools and other bodies should always bear the relevant legal provisions (see Appendix 3) in mind when dealing with penalty notices.

### **3. Legal practicalities**

A penalty notice is £60 if paid within 28 days of receipt of the notice, rising to £120 if paid after 28 days but within 42 days of receipt. If the penalty is not paid in full by the end of the 42 days the LA must either prosecute for the offence or withdraw the notice.

This prosecution is for the offence of failing to secure attendance at school and not for non-payment of the fine. It is brought under section 444 of the 1996 Act.

Withdrawal of the notice can only take place in very limited circumstances as set out in this code of conduct.

#### **4. Who Can Issue a Penalty Notice**

A penalty notice may only be issued by designated ESWs officers at WCBC (as agreed with schools and the police). This arrangement will ensure:

- consistent delivery;
- relationships between schools and parents/carers are maintained;
- coordination with other enforcement sanctions; and
- coordination between agencies.

An authorised officer has discretion when deciding whether to issue a penalty notice to one or more parents/carers of a child. The specific circumstances in each individual case will be the determining factor.

#### **5. Circumstances for issuing a penalty notice**

A penalty notice can only be issued in cases of unauthorised absence, where there has been a failure to secure regular attendance.

Penalty notices may only be considered appropriate in the following circumstances:

- At least 10 sessions (5 school days) are lost due to unauthorised absence during the current term. These need not be consecutive;
- Unauthorised absences of at least 10 sessions (5 school days) as a result of holidays taken in term time or delayed return from extended holidays<sup>1</sup>;
- Persistent lateness (after the register has closed and an unauthorised absence is created). "Persistent" in this case means at least 10 sessions of late arrival in one term; and
- Any other cases which would constitute truancy.

For clarity this criterion applies only where the holiday has not been approved under the Education (Pupil Registration) (Wales) Regulations 2010.

Use of penalty notices will be restricted to three notices per parent of a pupil in a 12 month period. Penalty notices may be issued in respect of more than one child in cases where there is more than one poorly attending pupil in a family. A parent will generally receive a warning letter prior to the issue of a notice, unless the circumstances justify a notice to be issued without a warning. Where a warning letter has not led to an improvement, a notice may be issued immediately in respect of the offence in question, unless WCBC believe that it would be suitable in the circumstances to issue a second warning letter to resolve the problem.

Penalty notices will not be issued in respect of Looked After Children ("LAC") who are subject to on-going LA intervention.

#### **6. Procedure for issuing a Fixed Penalty Notice**

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Schools, the police and neighbouring LAs are able to request the issue of a notice. Penalty notices will only be issued by post and, if sent out by first class post, will be deemed to have been received by the relevant parent two working days after posting of the notice. WCBC will respond to all requests to issue a penalty notice within 10 school days of receipt and only where all relevant information has been supplied. Details of relevant information are provided at Annex A to this code of conduct. Relevant forms which will need to be provided to WCBC are included in Annexes B – E.

When considering whether to issue a penalty notice, designated ESWs officers should take account of the following factors:-

- The level of absence;
- Any equalities considerations relating to the child or family (as listed in WCBC's Equality Policy);
- Any known additional learning needs the child may have;
- Any statement of Special Educational Needs;
- History of the attendance and action taken;
- Statutory defences which may be available to any prospective prosecution;
- Relevant Welsh Government guidance;
- Likely effectiveness of Fixed Penalty Notice as a tool for obtaining compliance;
- Level of parent engagement/cooperation;
- Any substantial adverse effect a fine will have on the welfare of the family.

## **7. Payment of Penalty Notice**

Arrangements for payment will be detailed on the penalty notice.

Payment of the notice discharges the parent's/carer's liability for the period in question and they cannot be subsequently prosecuted under other enforcement powers for the period covered by the notice.

WCBC retains any revenue from any penalty notice to cover enforcement costs. It is unlikely that revenue will be greater than enforcement costs. However, any surplus must be surrendered to the Welsh Consolidated Fund.

## **8. Non-Payment of Penalty Notice**

Non-payment of a penalty notice will trigger prosecution procedures brought under section 444 of the Education Act 1996.

## **9. Withdrawal of a Penalty Notice**

There is no statutory right of appeal against issuing of a penalty notice. However, a person on whom a penalty notice has been served may object to the notice by way of a complaint to WCBC.

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Once issued a penalty notice may only be withdrawn by WCBC where:

- The penalty notice was issued to the wrong person;
- The notice ought not to have been issued, ie: where it has been issued outside the terms of this code of conduct or no offence has been committed; or
- The notice contains material errors.

Where a penalty notice has been withdrawn in accordance with the above, a notice of the withdrawal shall be given to the recipient and any amount paid by way of penalty in pursuance of that notice shall be repaid to the person who paid it. No proceedings shall be continued or instituted against the recipient for the offence in connection with which the withdrawn notice was issued or for an offence under section 444(1A) of the Education Act 1996 arising out of the same circumstances.

## **10. Policy and Publicity**

All school attendance policies should include information on issuing penalty notices. This should be brought to the attention of parents/carers.

## **11. Annual Review and Reporting**

WCBC will monitor the use of penalty notices as part of the quality assurance process. Annual reports will be made available to the Head of Service, Head of Lifelong Learning, Scrutiny Committee and the Welsh Government.

This code of conduct will be reviewed every two years and may be amended depending on the outcome of the previous year's operation.

## **12. Equalities and Welsh Language**

The issuing of Fixed Penalty Notices must comply with other related legislation and regulations, in order to ensure that they are used in a fair and consistent manner and have paid due regard to the circumstances of the child/children and families involved. These include, but are not limited to the following:-

- Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011
- Welsh Language (Wales) Measure 2011
- Human Rights Act 1998

The Council's Equalities Policy covers the full range of issues that may need to be considered, depending on the individual case.

## **13. How to Get Further Information**

Further information on the operation of this code of conduct and penalty notices within WCBC is available from:  
ESW Team Manager

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Lifelong Learning Department  
Wrexham County Borough Council Lambpit Street Wrexham LL11 1AR

## APPENDIX 1 – Evidential Requirements

### Unauthorised holiday-related absence

WCBC will only issue a penalty notice requested by a school, in response to a holiday-related unauthorised absence, where the school has provided the following evidence to ESWS:-

- A copy of the school newsletter or letter sent to all parents during the current Academic year which clearly states that parents may receive a Fixed Penalty Notice for an unauthorised holiday in term time. (ESWS will not need a hard copy of this newsletter/letter each time a school applies for an unauthorised holiday-related penalty notice, just on the first occasion each academic year);
- A copy of the Holiday Request Form submitted by the parent and a copy of the response sent to the parent by school. In the event the holiday request has been denied, the school's response should state the reason why the holiday is unauthorised and should again advise parent that they may receive a Fixed Penalty Notice if they take their child out of school;
- A copy of the letter sent by the school to the parent advising that the school has referred the matter to the LA and that a Fixed Penalty Notice will be issued;
- Relevant pupil attendance or registration certificate; and
- Signed certificate from the Head Teacher or their nominated deputy confirming that non-attendance during the period was unauthorised.

In addition, the school must provide the relevant form and checklist contained in Appendix 2 to ESWS. Please note that ESWS should not ordinarily proceed with the issue of a Fixed Penalty Notice in absence of any of the above evidence.

### Other cases

In all other cases, WCBC would expect ESWS to be furnished with (as a minimum):-

- Relevant pupil's attendance or registration certificate;
- Copies of any letters sent to (or notes of meetings with) the pupil's parent(s) informing them that they may receive a Fixed Penalty Notice;
- Details (and copies of) any representations the relevant parent(s) may have made in respect of the absences from school;
- Details of relevant family or other circumstances known to the school (including relevant medical circumstances); and
- Signed certificate from the Head Teacher or their nominated deputy confirming that non-attendance during the relevant period was unauthorised.

Again, ESWS will also require the relevant request form (see Appendix 2) to be provided.

FIXED PENALTY NOTICE REQUEST  
UNAUTHORISED HOLIDAY ABSENCE

Registered pupil at: .....School

Pupil Details:

Name: .....

D.O.B. .... Gender: Male / Female (please delete as appropriate)

Address:

.....  
.....  
.....

Postcode: .....

Telephone No: .....

Mobile No: .....

Parent/Carer #1:

Name:

.....

Address (if different from above):

.....  
.....

Postcode: .....

Telephone No: .....

Mobile No: .....

Parent/Carer #2 (if applicable):

Name:

.....

Address (if different from above):

.....  
.....

Postcode: .....

Telephone No: .....

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Mobile No: .....

Dates of Absence:

The above named pupil was absent from school on the following dates and are recorded in the school register as unauthorised. (Please attach a registration certificate showing the period)


Declaration:

I am the Head teacher/Acting Head Teacher of the School named above. I certify that this pupil's holiday request has been considered in line with the School Attendance Policy. To the best of my knowledge there are no exceptional circumstances to consider.

Did parents request authorisation prior to holiday: Yes / No.

School response in writing to decline authorisation of holiday: Yes / No.

Name: .....

Signature: .....Date: .....

PLEASE ATTACH COPIES OF ALL RELEVANT EVIDENCE.

PENALTY NOTICE  
UNAUTHORISED HOLIDAY CHECKLIST

1. Who has parental responsibility over the pupil? Please name person who has day to day care if different

Parental Responsibility.....

Day to Day Care.....

2. Has the period of absence meant the pupil has missed at least 10 school sessions?  
Yes/ No

3. Has the parent named in response to question 1 previously received a Fixed Penalty Notice?  
Yes/No

If yes please give details:

4. Was a request made to the school by the parent for holiday leave during the period you wish to issue a Fixed Penalty Notice for?

Yes/No

If 'yes' please state the reason for refusal and attach copies of the correspondence exchanged. If 'no' please explain why an unauthorised holiday is suspected.

5. What is the pupil's attendance history?

6. If the pupil has a statement of Special Educational Needs then please provide details.

7. Does the pupil have a Disability under the Equality Act 2010?

8. What is known of the pupil's personal circumstances?

9. Are there any exceptional circumstances that the Council should be aware of?

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10. Has the pupil had a previous holiday or long period of absence in the academic year the unauthorised holiday was taken in?

.....

11. Has parent been in contact with the school in relation to the absence?

12. Has WCBC Code of Conduct been considered?

Yes/No

If not, please state why:.....

.....

.....

PENALTY NOTICE REQUEST

UNAUTHORISED ABSENCE - Section 444, Education Act 1996

NOTE: Information contained in this form will be used in legal action under the above Act relating to non-attendance at school in the event that a Fixed Penalty Notice is issued and remains unpaid.

I request that the Local Authority consider issuing a Penalty Notice to the parent(s)\* of the following pupil:

Pupil Details

Registered School.....

Name of Pupil ..... DOB ..... Year .....

Address.....

.....

Parent 1

Full name ..... DOB.....

Address.....

Parent 2

Full name..... DOB.....

Address.....

The expression "parent", in relation to a child or young person, includes any person who is not a parent of the child but who has parental responsibility for him or her, or who has care of the child.

Dates of Absence:

The above named pupil was absent from school on the following dates and are recorded in the school register as unauthorised. (Please attach a registration certificate showing the period)


In making this request, I confirm that such action would not conflict with other intervention strategies already in place or other enforcement measures already being processed. I can also confirm that the governing body of this school has reviewed its attendance policy and agreed that this school will request the Local Authority to issue Penalty Notices in appropriate cases.

How has the parent been contacted regarding the unauthorised absences?

School Meeting / Letter / Telephone Call (please delete as appropriate)

*Mission Statement 'Learning and Growing With God by our Side*[Type text]

Is the family known to other Services, e.g. Children's Services, YOS, CAMHS?

Yes / No

Are there any notable circumstances to consider, e.g. mental health, bereavement, family dynamics/domestic violence? Yes / No

If yes, please give full details:

Declaration

I am the Head teacher/Acting Head Teacher of the School named above. I certify that the information in this request form is correct as far as I am aware. To the best of my knowledge there are no further relevant circumstances to consider.

Name: .....

Signature: .....Date: .....

Please enclose an up to date registration certificate.

### APPENDIX 3 – Relevant legislation

The following statutory provisions relate to Fixed Penalty Notices and should be considered when requesting and processing penalty notices:-

Children Act 1989

Section 3 - Meaning of “parental responsibility”

Education Act 1996

Section 3 – Definition of pupil, etc.

Section 7 – Duty of parents to secure education of children of compulsory school age

Section 8 – Compulsory school age

Section 444 – Offence: failure to secure regular attendance at school of a registered pupil

Section 444ZA – Application of section 444 to alternative educational provision

Section 444A – Penalty notice in respect of failure to secure regular attendance at school of registered pupil

Section 444B – Penalty notices: supplemental provisions

Section 576 – Meaning of ‘parent’

The Education (Penalty Notices) (Wales) Regulations 2013

These regulations deal exclusively with the practicalities of the penalty notices regime and need to be considered in their entirety.

As WCBC is a Welsh Local Authority, the Welsh Government’s “Guidance on penalty notices for regular non-attendance at school”, issued in September 2013 (document no: 116/2013) must also be considered in dealing with penalty notices.