



**ST. ANNE'S C.E. (VC) PRIMARY SCHOOL**



**ATTENDANCE POLICY**

**'Together With God, Making Learning a Life Long Friend'**

Approved:	7.2.2022
Review Date:	31.3.2023

*We are a Church of England School and our policies are written with a commitment to our Christian Character, which is rooted in the Bible.*

*Start children off on the way they should go and even when they are old they will not turn from it (Proverbs 22:6)*

For more information on Attendance from Staffordshire County Council please visit <https://www.staffordshire.gov.uk/Education/Education-welfare/Attendance.aspx>

**Current Context**

The most recent government guidance states that 'central to raising standards in education and ensuring all pupils can fulfil their potential is an assumption so widely understood that it is insufficiently stated - pupils need to attend school regularly to benefit from their education'.

All schools are expected to promote excellent attendance and reduce absence, including persistent absence, ensure every pupil has access to the full-time education to which they are entitled and act early to address patterns of absence.

Parents are expected to perform their **legal duty** by ensuring their children attend regularly and arrive to school on time.

**Definition of Parent - DfE Advice on School Attendance:**

- All natural parents whether married or not;
- Any person who has parental responsibility for the child or young person; and,
- Any person who has care of a child or young person i.e. lives with and looks after the child or young person.

It is also important to note that even though a parent may not live in the same home as the student, that parent is still responsible for ensuring the child attends school every day.

**National Context**

Section 7, Education Act 1996 - s444 states that parents (including non-related adult carers in the child's household) have a **legal responsibility** to ensure that those of compulsory school age are educated, either by 'regular' attendance at school or 'otherwise'. **The duty on parents is to ensure their children are educated, either at a school or 'otherwise'**. Education is therefore compulsory. In terms of 'otherwise' children may be educated by their parents at home, by a

private tutor or in establishments other than schools, i.e. - special units, hospitals or in alternative educational programmes or work experience. The law allows parents to choose the alternative options, provided they can demonstrate to the Local Authority that the education is full-time and 'suitable' to the child's education needs, up until the relevant leaving-date for all young people.

### **Core Principles**

All schools and parents have statutory duties with respect to attendance. A targeted approach needs to be balanced with ensuring that these duties are carried out effectively with respect to all pupils of compulsory school age. St Anne's CE Primary, Brown Edge strives to maintain effective systems of attendance management by working in partnership with parents to maintain good overall attendance and reduce persistent absence. Promoting positive behaviour and excellent attendance is the responsibility of the whole school community.

We promote positive behaviour and good attendance through our Teaching + Learning Policy, Inclusion and Intervention Policy and Behaviour Policy. Good attendance and behaviour by pupils are recognised weekly in worship with a class award for high attendance. Pupils are also rewarded for 100% attendance for the year with a breakfast with members of the Senior Leadership Team. All pupils should be on time, every day the school is open, unless the reason for the lateness is unavoidable.

Any problems that arise with attendance are best resolved between the school, parents/carers and the pupil. Where a pupil is reluctant to attend, it is not a solution either to support absences or to give in to pressure to excuse them from attending. This gives the impression that attendance does not matter and may make things worse. Permitting absence from school without a good reason is an offence by the parent/carer. Where necessary schools have access to Education Welfare Officers and Education Core Offer Index and our school has a duty in law to refer any absence of 10 sessions or more, where there are concerns about the absence, to the Local Support Team. This could result in a penalty notice.

All schools are required to take an attendance register twice a day and this shows whether the pupil is present, engaged in an approved educational activity off-site or absent. If a pupil of compulsory school age is absent; every half-day absence from school has to be classified by the school as either authorised or unauthorised. Only the school can authorise absences, not parents/carers. Authorised absences are mornings or afternoons away from the school for a good reason such as illness or other unavoidable causes. Unauthorised absences are those which the school does not consider reasonable and for which no "leave" has been given, this is why information about the cause of each absence is always required, preferably in writing. This includes:

- parents/carers keeping children away from school unnecessarily
- truancy before or during the school day
- absences which have never been properly explained
- pupils who arrive at school too late to get a mark
- holidays taken within term time

The Headteacher will apply common sense principles to the decision making process but, exceptional circumstances are at the discretion of the Headteacher.

The Headteacher is responsible for the operational management of the policy and can delegate the leadership to a named member of staff. Designated staff should follow up individual pupils and analyse attendance data to identify trends for individual pupils, classes and year groups enabling the school to target efforts. Wherever possible, action will be taken by the school to improve a pupil's attendance and investigate and address any underlying cause of problems before considering whether to make a referral to the appropriate team in the Local Authority.

At St Anne's we aim to work in partnership with parents. Therefore there is an expectation that

#### PARENTS WILL:

1. Telephone the absence line for your child's year group, on EACH day of absence. Leave a message with: child's name, reason for absence, your name and telephone number.
2. Inform your child's school of any **planned** medical absences in advance.
3. Try to make all medical appointments (doctors, dentist and hospital) out of school time. Obviously, this may not always be possible so, in such cases, try to secure an appointment around the legal registration periods, as defined by school.
4. Put all requests for leave in writing and submit this to the school office in advance.
5. Encourage your child to take responsibility for being on time for school.

#### SCHOOL WILL:

1. Mark the registers in accordance with the law.
2. Telephone parents who have not contacted the school in relation to the absence of their child on a particular day by 10:00am. If we cannot get in touch with parents we send a text. If we have still not had communication, we will contact emergency contacts by 11:30am.
3. Maintain records and monitor attendance of pupils on a regular basis.
4. Authorise absences in accordance with the government guidelines.
5. Contact parents / carers when the attendance falls below acceptable levels and / or when particular patterns of absence are causing concerns.
6. Provide access to staff with whom attendance related issues can be discussed.
7. Work with external agencies to maintain good attendance and to support the pupil / family with any issues that may affect attendance and punctuality to school.
8. Work with relevant external agencies if a pupil's attendance becomes a concern.

#### Recording

Pupils should arrive at St Anne's CE Primary, Brown Edge, after 8:50am, but before the official start of the school day which is 9:00am. The pupils should make their way to their classroom where the responsible adult will take a register recording who is present and absent from school. **Any late pupils should enter the school through the main entrance.** If any pupil arrives late they should report to the office where staff will ask the pupil for a reason explaining their lateness. All staff need to be aware that any pupil arriving late **MUST** register at the office for the purposes of fire regulations. The register must be taken by 9:05am. Persistent lateness will be challenged. It is worth noting that if a pupil is 15 minutes late everyday this is equivalent to missing 10 days of school over the year.

The registers **officially** close at 9:15am and any pupil arriving after this time (up until 10:30am) will be marked absent for the session. A reason for the lateness will need to be provided. The 'U' code will be used and parents should be aware that if a pupil reaches 10 'U' absences, there is the risk of a Penalty Notice being issued against them for poor attendance, just the same as if

the pupil were absent. Any pupil not in registration at the start of school will be marked as absent with the appropriate code if this is known in advance or 'N', where no reason is known. Regular late checks are completed by the school, and pupils arriving after 9:15 am will be marked as a U code which decreases pupils' overall school attendance. If pupils arrive at school after 9:00am but before 9:15am, parents must still sign in at office and an 'L' code will be entered.

When a child arrives at school after 10.30am with no reason for the lateness, an 'O' code is issued.

St Anne's operates a first day contact policy whereby if the school has not been notified of an absence, parents/carers will be contacted to obtain an explanation. High concern children are monitored and are contacted immediately if they are absent, these include child protection and on-going concern children identified by the Safeguarding Officer.

Parents whose children are experiencing difficulties should contact the school at an early stage and work together with staff in resolving any problems. Letters are sent out to parents, to address low school attendance and punctuality, meetings can be arranged, and action plans are completed to address any attendance concerns. This process is nearly always successful. If difficulties cannot be sorted out in this way, the school or the parent/carer may refer the child to the Education Welfare Officer (EWO) from the Local Support Team. He/she will also try to resolve the situation with voluntary support (if other ways of trying to improve the pupil's attendance have failed).

Parents or children may also wish to contact the Local Support Team directly to ask for help or information. They are independent of the school and will give impartial advice. Their telephone number is available from the school office or by contacting the Local Authority.

### **Procedures**

St Anne's applies the following procedures in deciding how to deal with individual absences:

- Parents/carers are advised that pupils are expected to be in school every day. The importance of good attendance is stressed through written and oral communications with pupils and parents.
- Parents/carers are discouraged from making non urgent medical and dental appointments during the school day, but must inform the school if there is no alternative providing an appointment card.
- Pupils who need to leave the school during the day must have evidence explaining the reasons for this.
- All requests for known absences from the school must be made in writing.
- Holidays during term time will be unauthorised. **If holidays are taken after 10 absent sessions, (5 days) when the child's attendance is already below 95% (if not caused by serious/prolonged ill health) over the previous twelve months and/or if holiday has already been taken during this period, a fixed penalty notice will be issued.**
- All absences through illness must be backed up by written evidence explaining the nature of the illness or a telephone call to school.
- Attendance is regularly monitored and reported to the senior leadership team

### **Point to be considered**

Schools have the responsibility to decide whether an absence can be authorised on medical grounds. Parents will be asked to provide evidence, where pupil attendance falls below 90%, that their child is too unwell to attend school by providing written evidence from a medical professional, (e.g.: appointment cards, copies of prescriptions) There is no need to request a GP doctors note, as this can cause confusion and could have a financial implication.

### **Attendance Codes**

A set of standard codes are used consistently within the register. These codes are input in the electronic register as required and are used to give depth of meaning to the register and provide statistical meaning to the absences. Under Section 7 of the Education Act 1996 the following are the codes used by the DfE.

The national codes enable schools to record and monitor attendance and absence in a consistent way which complies with the regulations. They are also used for collecting statistics through the School Census System. The data helps schools, local authorities and the Government to gain a greater understanding of the level of, and the reasons for, absence.

The codes are:

#### **Present at School**

Pupils must not be marked present if they were not in school during registration. If a pupil were to leave the school premises after registration they would still be counted as present for statistical purposes.

#### **Registration Code / \: Present in school / = am \ = pm**

Present in school during registration.

#### **Code L: Late arrival before the register has closed**

The L code will only be applied between 9.00am and 9.10am when the registers will close. A pupil arriving after the register has closed will be marked absent with code U, or with another absence code if that is more appropriate.

#### **Present at an Approved Off-Site Educational Activity**

An approved educational activity is where a pupil is taking part in supervised educational activity such as field trips, educational visits, work experience or alternative provision. Pupils can only be recorded as receiving off-site educational activity if the activity meets the requirements prescribed in regulation 6(4) of the Education (Pupil Registration) (England) Regulations 2006. The activity must be of an educational nature approved by the school and supervised by someone authorised by the school. The activity must take place during the session for which the mark is recorded.

**Attendance codes for when pupils are present at approved off-site educational activity are as follows:**

#### **Code B: Off-site educational activity**

This code should be used when pupils are present at an off-site educational activity that has been approved by the school. Ultimately schools are responsible for the safeguarding and welfare of pupils educated off-site. Therefore by using code B, schools are certifying that the education is supervised and measures have been taken to safeguard pupils. This code should not be used for any unsupervised educational activity or where a pupil is at home doing school work.

Schools should ensure that they have in place arrangements whereby the provider of the alternative activity notifies the school of any absences by individual pupils. The school should record the pupil's absence using the relevant absence code.

**Code D: Dual Registered - at another educational establishment**

This code is not counted as a possible attendance in the School Census. The law allows for dual registration of pupils at more than one school. This code is used to indicate that the pupil was not expected to attend the session in question because they were scheduled to attend the other school at which they are registered.

The main examples of dual registration are pupils who are attending a pupil referral unit, a hospital school or a special school on a temporary basis. It can also be used when the pupil is known to be registered at another school during the session in question.

Each school should only record the pupil's attendance and absence for those sessions that the pupil is scheduled to attend their school. Schools should ensure that they have in place arrangements whereby all unexplained and unexpected absence is followed up in a timely manner.

**Code J: At an interview with prospective employers, or another educational establishment**

This code should be used to record time spent in interviews with prospective employers or another educational establishment. Schools should be satisfied that the interview is linked to employment prospects, further education or transfer to another educational establishment.

**Code P: Participating in a supervised sporting activity**

This code should be used to record the sessions when a pupil is taking part in a sporting activity that has been approved by the school and supervised by someone authorised by the school.

**Code V: Educational visit or trip**

This code should be used for attendance at an organised trip or visit, including residential trips organised by the school, or attendance at a supervised trip of a strictly educational nature arranged by an organisation approved by the school.

**Code W: Work experience**

Work experience is for pupils in the final two years of compulsory education. Schools should ensure that they have in place arrangements whereby the work experience placement provider notifies the school of any absences by individual pupils. Any absence should be recorded using the relevant code.

**Authorised Absence from School**

'Authorised absence' means that the school has either given approval in advance for a pupil of compulsory school age to be away, or has accepted an explanation offered afterwards as justification for absence.

**Absence codes when pupils are not present in school are as follows:**

**Code C: Leave of absence authorised by the school**



Only exceptional circumstances warrant an authorised leave of absence. Schools should consider each application individually taking into account the specific facts and circumstances and relevant background context behind the request.

**Code E: Excluded but no alternative provision made**

If no alternative provision is made for a pupil to continue their education whilst they are excluded but still on the admission register, they should be marked absent in the attendance register using Code E. Alternative provision must be arranged for each excluded pupil from the sixth consecutive day of any fixed period or permanent exclusion. Where alternative provision is made they should be marked using the appropriate attendance code.

**Code H: Holiday authorised by the school**

Headteachers should not grant leave of absence unless there are exceptional circumstances. The application must be made in advance and the Headteacher must be satisfied that there are exceptional circumstances based on the individual facts and circumstances of the case which warrant the leave. Where a leave of absence is granted, the Headteacher will determine the number of days a pupil can be away from school. A leave of absence is granted entirely at the Headteacher's discretion.

**Code I: Illness (not medical or dental appointments)**

Schools should advise parents to notify them on the first day the child is unable to attend due to illness. Schools should authorise absences due to illness unless they have genuine cause for concern about the veracity of an illness. If the authenticity of illness is in doubt, schools can request parents to provide medical evidence to support illness. Schools can record the absence as unauthorised if not satisfied of the authenticity of the illness but should advise parents of their intention. Schools are advised not to request medical evidence unnecessarily. Medical evidence can take the form of prescriptions, appointment cards, etc. rather than doctors' notes.

**Code M: Medical or dental appointments**

Missing registration for a medical or dental appointment is counted as an authorised absence. Schools should, however, encourage parents to make appointments out of school hours. Where this is not possible, the pupil should only be out of school for the minimum amount of time necessary for the appointment.

**Code R: Religious observance**

Schools must treat absence as authorised when it is due to religious observance. The day must be exclusively set apart for religious observance by the religious body to which the parents belong. Where necessary, schools should seek advice from the parents' religious body about whether it has set the day apart for religious observance.

**Code T: Gypsy, Roma and Traveller absence**

A number of different groups are covered by the generic term Traveller - Roma, English and Welsh Gypsies, Irish and Scottish Travellers, Showmen (fairground people) and Circus people, Bargees (occupational boat dwellers) and New Travellers.

This code should be used when Traveller families are known to be travelling for occupational purposes and have agreed this with the school but it is not known whether the pupil is attending educational provision. It should not be used for any other types of absence by these groups.

To help ensure continuity of education for Traveller children it is expected that the child should attend school elsewhere when their family is travelling and be dual registered at that school and the main school. Children from these groups whose families do not travel are expected to register at a school and attend as normal. They are subject to the same rules as other children in terms of the requirement to attend school regularly once registered at a school.

#### **Unauthorised Absence from School**

Unauthorised absence is where a school is not satisfied with the reasons given for the absence. Absence codes are as follows:

#### **Code G: Holiday not authorised by the school or in excess of the period determined by the Headteacher.**

If a school does not authorise a leave of absence for the purpose of a holiday but the parents still take the child out of school, or the child is kept away for longer than was agreed, the absence is unauthorised. The regulations do not allow schools to give retrospective approval. If the parents did not apply for leave of absence in advance, the absence must be recorded as unauthorised.

#### **Code N: Reason for absence not yet provided**

Schools should follow up all unexplained and unexpected absences in a timely manner. Every effort should be made to establish the reason for a pupil's absence. When the reason for the pupil's absence has been established the register should be amended. This code should not be left on a pupil's attendance record indefinitely, if absence is not provided after a reasonable amount of time it should be replaced with code O (absent from school without authorisation).

#### **Code O: Absent from school without authorisation**

If the school is not satisfied with the reason given for absence they should record it as unauthorised.

#### **Code U: Arrived in school after registration closed**

Schools should actively discourage late arrival, be alert to patterns of late arrival and seek an explanation from the parent.

#### **Administrative Codes**

The following codes are not counted as a possible attendance in the School Census:

#### **Code X: Not required to be in school**

This code is used to record sessions that non-compulsory school age children are not expected to attend.

#### **Code Y: Unable to attend due to exceptional circumstances**

This code can be used where a pupil is unable to attend because:



- The school site, or part of it, is closed due to an unavoidable cause; or
- The transport provided by the school or a local authority is not available and where the pupil's home is not within walking distance; or
- A local or national emergency has resulted in widespread disruption to travel which has prevented the pupil from attending school.
- This code can also be used where a pupil is unable to attend because:
- The pupil is in custody; detained for a period of less than four months. If the school has evidence from the place of custody that the pupil is attending educational activities then they can record those sessions as code B (present at approved educational activity).

This code is collected in the School Census for statistical purposes.

#### **Code Z: Pupil not on admission register**

This code is available to enable schools to set up registers in advance of pupils joining the school to ease administration burdens. Schools must put pupils on the admission register from the first day that the school has agreed, or been notified, that the pupil will attend the school.

#### **Code #: Planned whole or partial school closure**

This code should be used for whole or partial school closures that are known or planned in advance such as: between terms; half terms; occasional days (for example, bank holidays); weekends (where it is required by the management information system); up to five non-educational days to be used for curriculum planning/training; and use of schools as polling stations.

#### **Practicalities of Managing Medical Absence**

- If concerns are highlighted regarding the level of medical absence that a pupil has incurred contact will be made with the parents/carers to discuss it further and look at ways to support a pupil with medical conditions in school through the use of an Individual Health Care Plan.
- If still concerned the school will suggest that the pupil visit their GP or other health professional, if this has not already been done.
- Pupils and Parents will be invited to Attendance Clinics with school staff once their attendance becomes a concern.
- Any pupil whose attendance, at the end of each half term is below 90% may be asked to attend an interview with relevant staff.
- If parents do not attend the Educational Welfare Worker, Attendance Agency or school staff may make a home visit to offer support
- If attendance does not improve the school may request parents seek a note of explanation from the relevant health professional or may involve the school nurse.
- If despite the request for the note of explanation, no note is forthcoming, the school may not be able to authorise absences unless satisfactory medical evidence is provided to support the pupil's inability to attend school.

When an individual pupil's attendance level falls below 90% in any term without good reason, a referral to the (Local Authority) Educational Welfare Worker may be made by the school.

Following investigation, any unresolved issues could result in the parent/carer receiving a Penalty Notice or ultimately a prosecution under the Education Act 1996 s444.

### **Persistent Absence (PA)**

St Anne's is committed to reducing persistent absence (less than 90% attendance) and has specific procedures for dealing with this. There are strong and proven links between pupil attendance and educational achievement. Attendance of less than 95% (equivalent to 9.5 days or more absence in an academic year) has been shown to compromise pupil attainment. An attendance of 90% is equivalent to missing 19 days or nearly 4 weeks from school in a year.

A letter will be sent to the parents of any pupil identified as having attendance problems. The letter will inform the parents of the school's concerns and offer support to resolve any problems that may be impeding a pupil from attending. Pupils falling to below 95% attendance will be monitored as to whether their attendance improves or deteriorates and parents will receive a letter explaining this. The aim is to avoid a pupil falling into the Persistent Absence category (less than 90% attendance). One session's absence per week is an absence rate of half a day per week. The length of each half term varies per academic year but the table below gives an indication of the impact on a child's attendance of being absent from school for half a day per week in a typical school year.

By the end of half-term 1 (Autumn Term) 7 weeks	7 + sessions ( 3.5 days)
By the end of half-term 2 (Autumn Term) 7 weeks	7 + sessions ( 7 days)
By the end of half-term 3 (Spring Term) 6 weeks	6 + sessions ( 10 days)
By the end of half-term 4 (Spring Term) 6 weeks	6 + sessions (13 days)
By the end of half-term 5 (Summer Term) 6 weeks	6 + sessions (16 days)
By the end of half-term 6 (Summer Term) 7 weeks	7 + sessions (19.5 days or one month's absence in one school year)

The Local Authority holds statutory powers under the Education Act 1996 to ensure children attend school. If they cannot successfully engage with the family to achieve this they may use the many statutory powers to enforce the parents/carers responsibility regarding their child's school attendance. The Education Welfare Worker (The Local Authority, not the individual worker) can issue Penalty Notices or use court proceedings to prosecute parents/carers or to seek an Education Supervision Order on the child.

The Anti-Social Behaviour Act 2003, amended Section 444 of the Education Act 1996, allows parents to be issued with a penalty where they fail to ensure their child of compulsory school age (5-16) attends school.

A penalty notice is initially for £60 per parent. If this £60 is not paid within 21 days from the date of issue it rises to £120. If after 28 days of the date of issue the £120 is not paid the Local Authority will prosecute the parents under section 444(1) of the Education Act 1996. This will lead to a hearing in the Magistrates Court and may result in a fine of up to £1,000 per parent.

The maximum penalty on conviction is a fine of £2500 and/or 3 months imprisonment.

Alternatively, parents/carers or children may wish to contact the Local Authority themselves to ask for help or information. They are independent of the Academy and will give impartial advice. Their telephone number is available from the Academy reception or by contacting the Local Support Team.

### **Rules for Holiday Leave (Leave of Absence)**

There is no rule which allows for authorisation to be given specifically for holidays. The relevant ruling states that 'leave of absence shall not be granted' unless the Headteacher considers that there are 'exceptional circumstances relating to that application'.

Leave of absence due to urgent and unavoidable circumstances (such as a family bereavement) would clearly be considered exceptional. Other than this, however, it will be appropriate for the Headteacher to deal with applications on a case-by-case basis.

### **Requests for Leave of Absence**

If a parent/carer wishes to request a period of leave they are required to complete a leave of absence request form. If the request is denied school will inform the parent/carer of the reason by letter and the request will be noted in the register. Leave of absence will be refused except under special/exceptional circumstances. Absence request forms are available from the school office. It is worth noting that a pupil who takes a 2 week family holiday in term time (10 school days) will only be able to achieve an attendance of 94.7%. This is assuming the pupil has no illness or medical appointments for the rest of the academic year. This automatically puts the pupil into the category of monitoring attendance.

### **Penalty Notice for leave of absence (holiday) in term time**

Legally from 1 January 2018 **any** period of unauthorised leave may result in a parent receiving a penalty notice fine. The Headteacher will be the only person able to authorise leave in term time, but this will apply only in exceptional circumstances. Any unauthorised absence will be referred by school to the Local Authority.

St Anne's policy will be to fine after 10 sessions (5 days) of unauthorised absence if attendance is less than 95% over a 12 month period. (Unless low attendance is due to long term illness).

### **Penalty Notice for persistent lateness**

Previously a pupil had to achieve 20 unauthorised late marks before a penalty notice warning could be issued. This has now changed to 10 marks, and late marks do not have to be one after the other in order for the penalty notice to be issued. You are, therefore, encouraged where possible to ensure your child attends school on time. However, if your child is late you must inform the school of the reason(s) why, as they may be able to offer you some form of advice or support.

### **Period of time used to measure persistent absence and lateness**

If a pupil has had 5 days unauthorised absence or is late 10 times over a twelve week period, parents /carers may receive a penalty warning notice and also potentially a fine.

**At St Anne's the following staff are responsible for attendance matters:**

Mr E. Hobson Headteacher  
Mrs D. Rosson Office Manager

### **New guidance came into force on 1 January 2018 and is detailed below from Staffordshire County Council.**

#### **Circumstances where a Penalty Notice may be issued:**

A penalty Notice can only be issued in cases of unauthorised absence.

The presence of an excluded child in a public place at any time during school hours in the first five days of exclusion.

**Penalty Notices may be considered appropriate if one of the following criteria is met:**

There is unauthorised persistent absence. "Persistent" means at least 20 sessions of unauthorised absence over a period of twelve weeks, excluding holidays. These absences do not need to be consecutive.

There is a period of absence not authorized by the Headteacher or in excess of the period authorised by the Headteacher (e.g. family holiday).

Persistent late arrival at school i.e. after the register has closed. "Persistent" means at least 10 sessions of unauthorised late arrival over a period of 12 school weeks, excluding holidays.

These late episodes do not need to be consecutive.

The presence of an excluded child in a public place at any time during school hours in that child's first five days of exclusion. An "excluded child" is one who has been excluded from school for a given period under the Education and Inspections Act 2006.

A penalty Notice will not be issued in respect of children in the care of the LA with whom interventions will be used.

**Other conditions**

There will be no limit on the times a penalty notice for unauthorised leave of absence can be used in an academic year.

In cases where there is more than one pupil in a family with unauthorised absences Penalty Notices may be issued to more than one child.

Use of a penalty Notice or formal warning of a Penalty Notice for unauthorised persistent absence/lateness will be restricted to one notice/warning per parent of a pupil per academic year. Continued poor attendance in the same academic year can be addressed by other statutory actions available to the Local Authority under the Act 1996.