

Bilbrook Church of England Middle School

Attendance Policy

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Principles

Promoting positive behaviour and excellent attendance is the responsibility of the whole school community.

The school will promote positive behaviour and good attendance through its use of curriculum and learning materials. Good attendance and behaviour by pupils will be recognised appropriately. All

children should be at school, on time, every day the school is open, unless the reason for the absence is unavoidable.

All children are sometimes reluctant to attend school. Any problems that arise with attendance are best resolved between the school, the parents and the child. If a child is reluctant to attend, it is never better to cover up their absence 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.

The attendance and behaviour policy must include procedural referral agreements that are designed to promote and safeguard the welfare of pupils. Schools have a duty in law to refer any absence of 10 days or more where they have been unable to make contact with the parent/child or have general concerns about the absence to the Education Welfare Service.

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 school can authorise the absence, not parents. This is why information about the cause of each absence is always required, preferably in writing.

Authorised absences are mornings or afternoons away from school for a good reason like illness or other unavoidable cause.

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

- **parents keeping children off school unnecessarily**
- **truancy before or during the school day**
- **absences which have never been properly explained**
- **children who arrive at school too late to get a mark**

Parents whose children are experiencing difficulties should contact the school at an early stage and work together with the staff in resolving any problems. This is nearly always successful. If difficulties cannot be sorted out in this way, the school or the parent may refer the child to the Education Welfare Officer (EWO) from the County Council. He/she will also try to resolve the situation with voluntary support. If other ways of trying to improve the child's attendance have failed, these Officers can issue Penalty Notices or use court proceedings to prosecute parents or to seek an Education Supervision Order on the child. The maximum penalty on conviction is a fine of £2500 and/or 3 months imprisonment. (See Appendix 2).

Alternatively, parents or children may wish to contact the EWO themselves 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

The school applies the following procedures in deciding how to deal with individual absences:

Parents are asked to contact the school on the first day of their child's absence, either in person or by telephone, and if possible before 9.30 am. If no contact is received by this time the school contacts the child's parent or carer to verify the reason for absence. Following an absence due to illness or for any reason not previously notified, parents are required to send a letter for the school to authorise the absence and for the school records.

If the child is absent for a medical appointment or pre-arranged authorised engagement or in an emergency (eg a bereavement), a letter should wherever possible be brought into school prior to the absence. Any pupil leaving the premises during the day for these reasons must report to the secretary's office before leaving the premises and also on return.

Parents are asked to inform the school if their child develops an infectious disease such as German Measles so that preventative measures may be taken.

Family holidays require a holiday form to be completed well in advance so that the holiday absence can be authorised. The headteacher, acting on behalf of the Governors, has the power to authorise up to ten days' absence for holiday. Parents need to be aware that this is not an automatic right and it is important to put in the request early enough to allow for permission to be given. Permission for holiday is not granted for pupils in Year 6 during the external test week in May, and would not normally be given in the Autumn and Spring terms prior to the tests. Permission may also be denied where there is concern about a pupil's general attendance rate.

It is not appropriate for the school to authorise absences for shopping, looking after other children, haircuts, etc.

When an individual pupil's attendance level falls below 85% in any term without good reason, a referral to the Education Welfare Service will be made by the school. Following investigation any unresolved issues could result in the parent receiving a Penalty Notice or ultimately a prosecution under the Education Act 1996 s.444 (see Appendix 2).

Responsibilities

School secretary

- First day absence contacts
- Holiday forms
- Daily register checks
- Signing in and register procedures for pre-school activities and lateness
- Monitor persistent lateness or absence
- Inform heads of year or headteacher as appropriate of persistent lateness or absence
- Check pupil attendance and absence in an emergency evacuation and inform headteacher of outcome
- Find pupils reported missing from class, and report to senior staff if the pupil is not on site

School administrative officer

- Prepare registers and absence forms weekly
- Complete electronic registers and absence forms
- Monitor parental letters regarding absence
- Monitor persistent lateness and absence
- Inform heads of year or headteacher as appropriate of persistent lateness or absence, or any unexplained absence
- Keep records of pupils sent home for medical reasons, and complete signing out book in the main school office
- Manage the process of authorising holiday absence with the headteacher and record holiday absence on the electronic system
- Liaise as necessary with the Education Welfare Officer in agreement with the headteacher
- Prepare official registers for external checking by the Local Authority
- Prepare letters for parents praising excellent attendance
- Prepare individual pupil attendance statements for pupils' end of year reports
- Find pupils missing from class, and report to senior staff if the pupil is not on site

Form tutors

- Complete registers correctly, following the agreed coding system (see Appendix 1)
- Complete the 'First day absence' return for the school secretary
- File letters from parents in the registers
- Monitor pupil lateness and issue punishments as appropriate for persistent lateness

Inform Heads of Year of persistent lateness of any individual pupil
Inform Heads of Year about any pupil where there is an unexplained absence
Make contact with parents, where appropriate and where agreed with the Head of Year, to discuss lateness or absence
Take a register of their class in an emergency evacuation and inform the school secretary of any unexplained absence

Class teachers

Take a register at the start of each lesson and follow the agreed procedures for any pupil who is absent (See Appendix 5).

Heads of Year

Monitor lateness and absence and discuss with form tutors
Discuss issues with parents where necessary
Issue punishments for lateness where appropriate
Initiate any support or intervention strategies as appropriate,
Pass on issues of serious concern relating to children on the Special Needs register to the SENCO
Pass on persistent problems, or problems which might involve issues of Child Protection, to the headteacher

SENCO

Monitor issues of lateness and attendance relating to children on the Special Educational Needs register, and take action as necessary, and in discussion with heads of year, form tutors, the inclusion manager and the headteacher as appropriate

Inclusion manager

Support all the staff and pupils in the school to deal with issues of lateness and absence which is related to a pupil being unhappy about any aspect of school, or which is related to any other areas of their life which is affecting their ability to function normally

Report any issues of lateness or absence to the headteacher which raises concerns about the safety and well-being of the child (ie Child Protection issues)

Headteacher

Monitor persistent lateness or absence, unauthorised absence, or concerns with Child Protection issues, and deal with these through the school's own internal support systems, the EWO and Child Protection procedures as appropriate, following local authority guidance (see Appendices 1, 2 and 3)

Make decisions about requests for holidays, following local authority guidance and the school policy (see Appendix 3)

Monitor the school's policy and procedures

Report to governors on attendance, and recommend amendments to policy and procedures if necessary

Advise the governors and determine annual attendance targets (see Appendix 4)

School targets and initiatives

Targets

The school has adopted the following attendance targets and special projects:

Attendance target 2006 – 2007: 95%

Initiatives

The school operates a 'first day absence' system which means that parents are contacted by school on the morning of the first day a pupil is absent. This is described in the procedures above.

The school has a full time Inclusion Manager who helps deal with absence or lateness which is related to a pupil being unhappy about any aspect of school.

Summary

The school has a legal duty to publish its absence figures to parents and to promote attendance. Equally, parents have a duty to make sure that their children attend. School staff are committed to working with parents as the best way to ensure as high a level of attendance as possible.

Appendix 1: Absence and Attendance Codes

/\ Present at / a.m \ p.m registration. (Present)

- For all pupils present at registration.
- If leaving after registration, they would still be counted as present for statistical purposes.
- For Health and Safety reasons schools may choose to use a paper system in the school office to record that a pupil has left the premises.

B Educated off site (Not Dual registration) (Approved Education Activity)

- This code can be used for all pupils including Travellers children, who are present at educational provision which is not at a school
- Attending taster days at other schools, another school as 'guest pupils', vocational courses at college, alternative provision arranged and or agreed by the school, or undertaking work experience as part of an alternative curriculum or alternative provision (pupils undertaking work experience under section 560 of the Education Act 1996 should be recorded under Code W)
- Schools should not use this code as part of an agreed part-time timetable, in these circumstances absence should be recorded as Code C

C Other Authorised Circumstances (not covered by another appropriate code/description) (Authorised absent)

- For exceptional circumstances only and schools should consider - the nature of the event, its frequency, did the parent give advance notice and the pupils overall pattern of attendance
- Public Performances – the LA must licence the pupil to take part but the school authorises the absence
- Young Carers – school can authorise absence for a genuine crisis – but time limits should be set and work should be sent for the pupil
- Birth of a child – no more than 18 weeks authorised absence to cover the time immediately before and after the birth, after that time absence should be treated as unauthorised.
- At the request of the school – where a pupil has been placed on an agreed part-time timetable for an agreed period e.g. for a pupils reintegration
- Pupils affected by a partial closure in 2006/2007

D Dual registration (i.e. pupil attending other establishment) (Approved Education Activity)

- The law allows dual registration of pupils at both a PRU or special school and another local school. Both schools share responsibility for the child and failure to attend either without good reason is unauthorised absence.
- Pupils who are dually registered at two schools should be registered as such in both schools' information management systems (MIS) under "pupil enrolment status".
- This code can be used for Traveller children when it is known that: they are attending another school and are dually registered at both schools.

It should NOT be used unless these two conditions are met.

- Schools should have arrangements in place to ensure that each can notify the other of absences so that both establishments can record them using the relevant absence code.

E Excluded (no alternative provision made) (Authorised absent)

- This code is used to record pupils' absence because they have been excluded;
and no provision has been made for them to continue their education whilst excluded.
- It must **not** be used to record the fact that the pupil has been excluded
- The school is responsible for making alternative arrangements for an excluded pupil who remains on the school roll either directly or in conjunction with an agreed provider of alternative provision.
- If the alternative provision made is attendance at a PRU, the pupil should be recorded under Code D as the pupil is, in effect, dually registered at both institutions
- If the pupil is "internally excluded" then the attendance should be recorded using the normal marks for present.
- If the alternative provision made is attendance at any other provider (agreed by the LA*), the pupil should be recorded under Code B as the pupil is being educated off site
- In all cases where alternative provision is made and the pupil is absent, the absence should be recorded using the appropriate code and not Code E.

F Extended family holiday (agreed) (Authorised absence)

- Schools should only exceptionally agree absence of more than 10 days in a school year (and should not regard 10 days as the norm)
- If the school considers there to be exceptional circumstances, approval can be given, the absence recorded as authorised using Code F.
Examples include: parent working abroad for a fixed, medium term period; and returning to country or origin.
- If the school agrees to the absence and the pupil goes on holiday for 10 days or less the absence is authorised Code H
- If the school does not agree absence and the pupil goes on holiday, absence is unauthorised (Code G) If parents keep a child away for longer than was authorised extra time is recorded as unauthorised (Code G)

G Family holiday (NOT agreed or days in excess of agreement) (Unauthorised absence)

- If the school does not agree absence and the pupil goes on holiday, absence is unauthorised (Code G)
- If parents keep a child away for longer than was agreed any extra time is recorded as unauthorised (Code G)

H Family holiday (agreed) (Authorised absent)

- Parents should not normally take pupils on holiday in term time. Each request for holiday absence should be considered individually, taking into account the age of the child; the time of year of the proposed trip; its nature and parental wishes; the overall

attendance pattern of the pupil; the child's stage of education and progress. Schools should invite parents in to school to discuss any proposed holiday in term time.

- With LA agreement, schools may delete from roll a pupil who fails to return within 10 school days of the agreed return date unless there is good reason for the continued absence, such as illness.

I Illness (NOT medical or dental appointments)(Authorised absence)

- Missing registration through illness is an authorised absence
- If a pupil is present at registration but returns home because of illness no absence need be recorded for that session –however schools should keep a record of pupils leaving the site for emergencies
- If the authenticity of the pupils' illness is in doubt school can record the absence as unauthorised but should advise the parents of their intention.
- Schools may request parents to provide medical evidence to support absence on the grounds of illness. However, while schools can request this information they are advised not to request medical certificates unnecessarily (particularly retrospective certificates) and especially if the illness was not treated by a doctor at the time. Medical evidence can take the form of sight of prescriptions, appointment cards etc rather than doctor's notes.
- Absence at registration due to a medical, dental or hospital appointment should be recorded using Code M

J Interview (Approved Education Activity)

- Interviews with prospective employers or another educational establishment (Year 11 only)

L Late (before registration closes) (Present)

- Late for session
- Schools should actively discourage late arrival
- Schools should have a policy on how long registers are kept open
- The DfES recommendation is 30 minutes from the beginning of registration, but in periods of bad weather or public transport difficulties they may be kept open for longer

M Medical or Dental appointments (Authorised absent)

- Missing registration for a medical or dental appointment is authorised absence
- Parents and pupils should be encouraged to make appointments out of school hours and sight of an appointment card is advisable if the pupil attends irregularly
- If a pupil is present for registration but has an appointment later no absence need be recorded
- For health and safety reasons a system must be in place to record that a pupil has either arrived late or left the premises during a session

N No reason yet provided for absence (- temporary mark) (Unauthorised absent)

- This is an interim mark where no reason has been provided for the absence. Every endeavour should be made to establish the reason for a pupils absence, but if no reason is provided after a reasonable amount of time Code N should be replaced with Code O
- **Code N should not be left showing on a pupil's attendance record indefinitely.**
- **Schools should ensure they have systems and procedures in place to follow up these absences and establish the reason for absence, ideally within a two week timescale**

**O Unauthorised absence (not covered by any other code/description)
(Unauthorised absent)**

- The permanent mark for all absences which have never been properly accounted for e.g. pupils/parents/siblings birthdays, shopping, visits to hairdressers, sibling INSET days etc

P Approved sporting activity (Approved Education Activity)

- The pupil is participating in or attending an approved sporting activity
 - The activity must be supervised by a person authorised in that behalf by the Head teacher of the school (Statutory instrument 2001 No. 2802)
- Note that this counts as an attendance. It should be used where children are involved in any representative sports event (or trial).

R Religious observance (Authorised absent)

- Absence to take part in any day set aside exclusively for religious observance by the religious body to which the parents belong. Parents should be encouraged to give advance notice.

S Study leave (Authorised absent)

- Study leave should be used sparingly and only for year 11 pupils during mock and public examinations
- Many schools are electing to seek alternatives to study leave as evidence suggests that many pupils do not have the skills to make best use of large amounts of unstructured revision time
- Any time given to pupils as study leave is authorised absence and should be recorded and reported by the school as such
- When calculating the use of study leave, and therefore authorised absence, schools must bear in mind that pupils cannot leave school until the last Friday in June.

T Traveller absence (Authorised absent)

- Traveller child when the family is travelling
- A school cannot remove a traveller child from the school roll while they are travelling if it is the base school
- If the pupil is known to be travelling but it is not known whether the pupil is attending educational provision absence should be recorded using Code T
- If the pupil is known to be dual registered and present at another school attendance should be recorded as Code D

- If the pupil is known to be present at other educational activity which meet the requirements of the regulation on approved educational activity attendance should be recorded using Codes B, J, P, V, or W as appropriate.
- Children from traveller families are subject to the same rules as other children in terms of requiring to attend school. However there is a defence available to traveller families if prosecuted for non attendance provided the child has attended for at least 200 sessions in the 12 months ending when legal proceedings are started.

U Late (after registration closes) (Unauthorised absence)

- Schools should actively discourage late arrival, which could provide grounds for prosecution
- Schools should have a policy on how long registers are kept open, the DfES recommendation is 30 minutes from the beginning of but in periods of bad weather or public transport difficulties they may be kept open for longer
- This code should be used when a pupil has arrived after the close of registration with no relevant reason to code it otherwise
- For health and safety reasons a system must be in place to record that a pupil has either arrived late or left the premises during a session

V Educational visit or trip (Approved Education Activity)

- School organised trips and visits, including residential trips. This code can also be used for other trips of a strictly educational nature, arranged by other organisations providing they are supervised

W Work experience (Approved Education Activity)

- Work experience under section 560 of the Education Act 1996
- Schools must ensure that they check on the attendance of the pupil at the work experience placement and mark the register accordingly
- Work experience is for pupils in their last two years of compulsory schooling
- Only supervised work experience can be counted as approved educational activity
- Work experience as part of an alternative curriculum should **not** be recorded with this code, that should be "educated off site" and recorded as Code B

! (DfES X) Non-compulsory school age absence (Not counted in possible attendances)

- Pupils who have not attained the age of 5 years at the start of the term in which the session takes place or were 16 years before the start of the school year in which it takes place e.g. part-time nursery age pupils, including nursery age pupils in early years classes (for session that they are not due to attend); and sessions that a 6th Form pupil is not expected to attend.
- The Education (Pupil Registration) Regulations 2006 require the register to be taken for both compulsory age and non-compulsory age pupils. The difference between the two sets of records is that the school does not have to record whether or not the absence is authorised for non-compulsory age pupils. However it is recommended that this code is used to record sessions that non-compulsory school age children are not expected to attend and use the standard codes to record other absence. This will not affect the schools statistics as they are not collected for non-compulsory school age pupils.

- **If a school places a compulsory school age pupil on a part time timetable, for example as part of re-integration, then the school is authorising the pupil's absence from the sessions not in the timetable. That absence should be recorded under Code C. Schools should not place pupils on part-time timetables for an indefinite period and should monitor it and the pupil.**
- **This code must not be used to record the absence of children of compulsory school age or any form of exclusion**

Y Enforced closure (Not counted in possible attendances)

- Not required to be in school
- e.g. burst boiler, flood, bad weather etc
- This code applies to **whole** school closure, where there is only partial closure, individual pupil absence should be recorded with Code C
- Where the whole school is forced to close in exceptional circumstances, this can be recorded in electronic attendance recording systems by way of a “system wide” entry for the whole school and applying the enforced closure to all pupils in the school.
- Where only part of the school is forced to close in exceptional circumstances, e.g. one site housing 2 year groups or classes, this can be recorded in electronic attendance recording systems by way of selecting the year groups or classes and applying the partial enforced closure to all pupils in the year group or class. (See Note 1 below for special arrangements for the 2006/7 academic year).
- Where the enforced closure relates to pupils following a failure of school/LA provided transport, this can be recorded in electronic attendance recording systems by way of

selecting the pupils as a group and applying the partial enforced closure to all pupils in that group. (See Note 1 below for special arrangements for the 2006/7 academic year).

NOTE 1

- Electronic attendance/absence recording systems, whether part of MIS systems or not, will not be capable of recording partial closures of schools for “exceptional circumstances” from the start of the 2006/7 academic year. From the start of the 2006/7 academic year, all systems have been designed to apply Code Y as a “system wide” entry for the whole school. Special arrangements, therefore, are being made for the 2006/7 year and it is expected that all systems will be compliant with the new regulations from the start of the 2007/8 academic year.

- In 2006/7, schools are advised to use Code C (Other authorised absence) in respect of each pupil affected by a partial enforced closure. They must not use any of the codes which have the legal meaning of approved educational activity as the pupils will be unsupervised and will not be undertaking educational activity. Alternatively, schools could make manual adjustments to print outs of the attendance register on a weekly basis (see page 3).

*** (DfES Z) Pupil not yet on roll (not counted in possible attendances)**

- School MIS systems store details of pupils who are to be admitted in a “pre admission group” which is then “rolled forward” at the start of term. This helps schools to have details on new pupils in their MIS system as soon as possible. However, some pupils do not turn up (because they have started somewhere else) but they are still “on roll” as far as

the computer is concerned until they are made a “leaver”. While “on roll” in this way, they will be shown as “unauthorised” absent unless they can be marked as “not yet on roll” in the computer.

- If a pupil is expected to arrive at a school i.e. in a “pre admission group”, but does not, in fact, arrive to attend the school, the school should advise the LA that the pupil has not been enrolled.

- Under the 2006 Regulations (Regulation 5), schools must now put pupils on the admissions register on the first day that the school expects them to attend **not**, as previously, when they first attend. Schools should also remember that all pupils on the admissions register must also be entered on the attendance register and their attendance recorded.

School closed to pupils (not counted in possible attendances)

- To be used when the whole school is closed, including for the teachers.
- e.g. between terms, half terms, occasional days when the whole school (including staff) are on holiday, weekends (if required by the system), teacher INSET days, use of schools as polling stations.

NEW DfES ATTENDANCE CODES, DESCRIPTIONS AND MEANINGS

CODE	DESCRIPTION	STATISTICAL MEANING	PHYSICAL MEANING
/	Present (AM)	Present	In for whole session
\	Present (PM)	Present	In for whole session
B	Educated off site (NOT Dual registration)	Approved Education Activity	Out for whole session
C	Other Authorised Circumstances (not covered by another appropriate code/description)	Authorised absence	Out for whole session
D	Dual registration (i.e. pupil attending other establishment)	Approved Education Activity	Out for whole session
E	Excluded (no alternative provision made)	Authorised absence	Out for whole session
F	Extended family holiday (agreed)	Authorised absence	Out for whole session
G	Family holiday (NOT agreed <u>or</u>	Unauthorised absence	Out for whole session

	days in excess of agreement)		
H	Family holiday (agreed)	Authorised absence	Out for whole session
I	Illness (NOT medical or dental etc. appointments)	Authorised absence	Out for whole session
J	Interview	Approved Education Activity	Out for whole session
L	Late (before registers closed)	Present	Late for session
M	Medical/Dental appointments	Authorised absence	Out for whole session
N	No reason yet provided for absence	Unauthorised absence	Out for whole session
O	Unauthorised absence (not covered by any other code/description)	Unauthorised absence	Out for whole session
P	Approved sporting activity	Approved Education Activity	Out for whole session
R	Religious observance	Authorised absence	Out for whole session
S	Study leave	Authorised absence	Out for whole session
T	Traveller absence	Authorised absence	Out for whole session
U	Late (after registers closed)	Unauthorised absence	Late for session
V	Educational visit or trip	Approved Education Activity	Out for whole session
W	Work experience	Approved Education Activity	Out for whole session
X	Non-compulsory school age absence	Not counted in possible attendances	Out for whole session
Y	Enforced closure	Not counted in possible attendances	Out for whole session
Z	Pupil not yet on roll	Not counted in possible attendances	Out for whole session
#	School closed to pupils	Not counted in possible attendances	Out for whole session

Code changes relating specifically to the SIMS Attendance module.

X	DfES # : School closed to pupils	Not counted in possible attendances	Out for whole session
#	School closed to pupils and staff	Not counted in possible attendances	Out for whole session
!	DfES X : Non compulsory school age absence	Not counted in possible attendances	Out for whole session
*	DfES Z : Pupil not on roll	Not counted in possible attendances	Out for whole session

Appendix 2: LA Code of Conduct Protocol for the issuing of Penalty Notices

**STAFFORDSHIRE COUNTY COUNCIL
Children and Life Long Learning Directorate**

**STAFFORDSHIRE LOCAL AUTHORITY PROTOCOL
Penalty Notice Protocol**

Rationale:

Regular and punctual attendance at school is both a legal requirement and essential for pupils to maximise their educational opportunities. In recognition of this, the law makes it an offence for a parent or carer to fail to secure the regular attendance of their child at a school at which the child is a registered pupil, without good reason or the agreement of the school.

Penalty Notices supplement the existing sanctions currently available under section 444, of the Education Act 1996 and section 36, of the Children's Act 1989, to enforce attendance at school where appropriate.

The Education Welfare Service (EWS) is responsible for enforcing this responsibility for the County Council and does so by supporting parents and pupils to overcome barriers to regular attendance, via a range of assessment and intervention strategies.

Sanctions, of any nature, are for use only where parental co-operation is either absent or deemed insufficient to resolve the presenting problem. They are used as a means to support parents to meet their responsibility in law and only where there is a reasonable expectation that their use will secure an improvement.

Legal Framework:

From 27th February 2004, section 23 of the Anti-social Behaviour Act 2003, supported by the Education (Penalty Notices) (England) Regulations 2004, empowers designated County Council officers, Head Teachers, Deputy & Assistant Head Teachers authorised by a Head Teacher and the Police to issue Penalty Notices in cases of unauthorised absence from school.

However, to ensure that the procedures used to determine when to issue a Penalty Notice are fair and objective, it must comply with other law, including the Human Rights Act and all Equal Opportunities legislation.

As a result, the County Council has responsibility for developing a local protocol that will govern how all of the partners named in the Anti-social Behaviour Act 2003, will issue Penalty Notices.

Circumstances where a Penalty Notice may be issued:

- A Penalty Notice can only be issued in cases of unauthorised absence;
- It is proposed that use of Penalty Notices will be restricted to one per pupil per academic year
- In cases where there is more than one poor-attending pupil in a family multiple notices may be issued. This decision will involve careful consideration and consultation with schools by the EWS regarding the family's current circumstances;
- There will be no restriction on the number of times a parent or carer may receive a formal warning of a possible issue of a Penalty Notice.

To ensure that Staffordshire County Council has a consistent approach to the issuing of Penalty Notices the EWS will apply their current criteria to each case, i.e.:

- there must be at least 20 sessions (10 school days) lost to unauthorised absence by the pupil during the current term, effectively an 85% attendance trigger; attendance should be calculated cumulatively.

- it is suggested that schools adopt the standard authorisation of holidays protocol as part of their attendance policy, as consideration of these cases will be based upon that protocol. Where parents fail to comply with procedure contained within the protocol a Penalty Notice may be considered.

Procedure for issuing Penalty Notices:

- It is proposed that the EWS will issue Penalty Notices in Staffordshire either as part of their ongoing casework or following referral from schools. It is intended that this process will ensure consistent and equitable delivery, retain school-home relationships and allow cohesion with other enforcement sanctions.
- the EWS will only issue Penalty Notices by post and never as an on the spot action i.e. during a Truancy Sweep. This will ensure that all evidential requirements are in place and meet Health and Safety requirements for the County Council employees.

Where Schools, Staffordshire Police and neighbouring LA's ask that Staffordshire County Council issue such a Notice, their request will be investigated and only actioned by the EWS where:

- the EWS is satisfied that it has all relevant information;
- the circumstances of the pupil's absence meets the requirements of this Protocol;

- there is a reasonable expectation that the use of a Penalty Notice would improve attendance; and
- the issue of a Penalty Notice does not conflict with other intervention strategies in place or enforcement sanctions already being used.

The EWS will respond to all requests within 10 school days of receipt and where the criteria are met will:

- issue a formal written warning to the parent or carer that they may be issued with a Penalty Notice;
- in the same letter set a period of 20 school days within which the pupil must have no unauthorised absence; and
- issue a Penalty Notice through the post at the end of the 20 school day period if the required level of improvement has not been achieved.

Procedure for withdrawing Penalty Notices:

Once issued, a Penalty Notice may be withdrawn in the following circumstances:

- the Council is satisfied that there is proof that the Penalty Notice was issued to the wrong person;
- the use of the Penalty Notice did not conform to the terms of this Protocol; or
- the parent can show that they did not receive the Penalty Notice e.g. it was delivered to the wrong address.

Payment of Penalty Notices:

- Arrangements for payment will be detailed on the Penalty Notice;
- Payment of a Penalty Notice discharges the parent's or carer's liability for the period in question and they cannot subsequently be prosecuted under other enforcement powers for the period covered by the Penalty Notice;
- Payment of a Penalty Notice within 28 days is £50 and payment after this time but within 42 days is £100; and
- The County Council retains any revenue from Penalty Notices to cover enforcement costs (collection or prosecuting in the event of non-payment).

Non-payment of Penalty Notices:

Non-payment of a Penalty Notice will result in the withdrawal of the Notice and will trigger the fast-track prosecution process under the provisions of section 444(1), of the Education Act 1996.

Policy and Publicity

- Identifying information about Penalty Notices issued to particular parent's or specific children should not be made public;
- Issuing of Penalty Notices as a sanction is included in the Authority's Attendance Policy;
- All school Attendance Policies should include information on the issuing of Penalty Notices and this will be brought to the attention of all parents;
- The LA will include information on the use of Penalty Notices and other attendance enforcement sanctions in promotional or public information material.

Reporting & Review:

The EWS will:

- report at regular intervals to the Schools Forum and Staffordshire Police on the deployment and outcomes of Penalty Notices;

- make termly reports to the Staffordshire County Council's Management Committee on attendance matters which will include Penalty Notice use; and
- review Penalty Notice use at regular intervals and amend the enforcement strategy as appropriate.

Education Penalty Notices

Information for Parents

Parents have a legal duty to make sure that their children go to school regularly. The local authority can now issue Penalty Notices if a parent fails to make sure that their children receive the education they deserve. This leaflet tells you about these notices.

School Attendance and the Law

Any absence from school is a cause for concern. Only by attending every day will your child have the best chance to get the most from their education.

The headteacher at your child's school must decide whether to authorise an absence. That is to agree that there was a legitimate reason for your child not to be in school.

There are only four legitimate reasons for absence:

- Religious observance
- Illness of the child
- The death of a close family member
- An urgent medical or dental appointment

The Education Welfare Service (EWS) can take legal action against you if you fail to make sure that you children go to school regularly and there is no legitimate reason for the absence. This action might take one of two forms:

- The issuing of a Penalty Notice
- Prosecution in the local Magistrates Court

This information is about Penalty Notices and how the EWS will issue them.

What they are

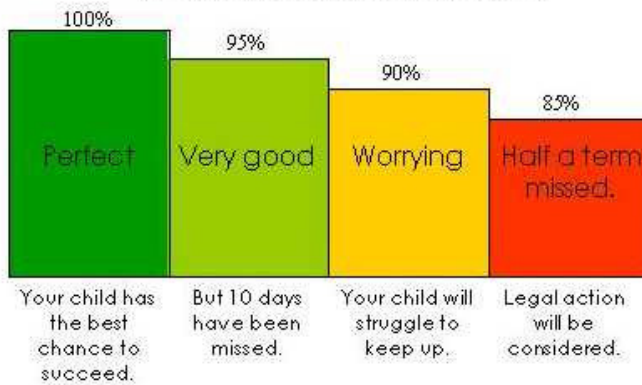
Penalty Notices are fines, issued by Staffordshire EWS, for a child's unauthorised absence from school.

The service will always consider legal action when there is no legitimate reason for absence.

How they will be issued

Notices will be issued by post. They will not be issued during a Truancy Sweep or as part of a meeting with parents.

Missing School Means Missing Out



This graph shows the effect of missing time from school over a year. Every school session is important if your child is not going to fall behind.

The EWS will not take legal action if previously poor attendance is now improving.

Instead they'll monitor the case and support the pupil. If attendance doesn't improve, or if absences begin to increase the EWS will re-assess the case to see if legal action is needed.

Penalty Notices

What they mean

Parents who are subject to a penalty notice have 3 choices:

Pay the fine early, within 28 days, and it is £50

Pay after 28 days but within 42 days and the fine is £100.

Don't pay the fine. In this case the Notice will be withdrawn and Magistrates Court proceedings will start. This could result in a fine of up to £1000 for each child whose attendance is causing concern and for each parent involved in the prosecution.

Further information

If you would like further information about Penalty Notices please contact your district Education Welfare Team:

If you have concerns about your child's education you should, initially, discuss these with school.

District	Telephone
Stafford and South Staffordshire	01785 356949
Lichfield and Cannock	01543 512050
East Staffordshire and Tamworth	01283 239755
Newcastle and Leek Moorlands	01782 297524

Appendix 3: LA Guidance – Authorising Holidays in Term time

STAFFORDSHIRE COUNTY COUNCIL Children and Life Long Learning Directorate

STAFFORDSHIRE LOCAL AUTHORITY PROTOCOL Family Holiday Requests During Term Time

..... SCHOOL.

The head teacher has the discretion to grant up to ten days authorised absence for family holidays in a school year. However, each application will be considered individually taking into account factors such as the timing of the holiday and the pupil's attendance (see Holiday Authorisation Calculator). For example, a pupil with an otherwise perfect attendance record will achieve a maximum of 94.7% attendance if s/he goes on a ten day holiday during term time. The legislation states that:

‘...on application made by a parent with whom the pupil normally resides, a pupil may be granted leave of absence from the school to enable him to go away on holiday...Save in exceptional circumstances, a pupil shall not...be granted more than ten school days leave of absence in any school year.’

The Education (Pupil Registration) Regulations 1995 (SI 2089)

In brief this means that:

- Parents **CANNOT** demand a leave of absence as an automatic right.
- Parental requests **MUST** be in writing.
- Schools **CANNOT** apply blanket policies to approve/reject all applications.
- All requests **MUST** be considered on their own merits.
- Extended periods of absence will be granted **ONLY** in exceptional circumstances.
- The power to authorise/unauthorise a leave of absence belongs to the head teacher.

In order to ensure equity within and between schools, decisions on whether or not to authorise a leave of absence for family holidays will be guided by the use of the Holiday Authorisation Calculator (B). This does not remove the head teacher's prerogative to authorise holiday in exceptional circumstances.

Procedure

Parent/carer should complete a holiday request form (A) and submit this to the school at least two weeks prior to the intended period of absence; school will respond to the request within one week. If school is aware of any language difficulties that may preclude a request form being completed appropriate support should be offered to the parent/carer.

The Holiday Authorisation Calculation Chart (B) should be used to guide the head teacher's decision on whether or not to authorise the requested leave of absence.

- If the total score is 7 or less holiday leave may be authorised.

- If the total score is 8 or more holiday leave should not be authorised. However, the head teacher may be aware of exceptional circumstances which would warrant approving holiday leave and this should be recorded on the form.
- If a pupil has already taken ten days holiday leave in the same academic year further holiday leave should not be authorised.
- If the Local Authority has begun legal proceedings (i.e has sent an Advisory letter) holiday should not be authorised and this should be recorded on the form.
- Parents should be made aware (perhaps in the school handbook) that holidays which have not been agreed in advance will lead to the pupil being marked with unauthorised absences and that this may be referred to the Local Authority for consideration of a Penalty Notice or other action.

A letter confirming that the request has been authorised/denied (C/D) should be sent to the parent/carer, with a copy of the Holiday Authorisation Calculation Chart (B) within one week of receipt of the holiday request.

- Pupil should be marked H (authorised absence) for the agreed period of holiday leave.
- Pupil should be marked G (unauthorised absence) in the register if the holiday absences have **NOT** been authorised by the school or for days taken in excess of an agreed period.

Family Holidays and Extended Trips Overseas

Sometimes parents may wish to take their children on extended overseas holidays during term-time. Such visits are particularly important to parents who want to ensure that their children meet

members of their extended family overseas. While it is important to recognise the educational and cultural significance of such visits, DfES guidelines make clear that leave of absence for more than two weeks during term-time should be regarded as **exceptional** and "blanket approval" policies are not acceptable. It is expected that parents will put forward a convincing case to justify such absence. When considering a request for extended leave during term time the following factors may be relevant, in addition to those on the Holiday Calculator, but this list should not be regarded as comprehensive:

- the nature and purpose of the trip;
- the duration of the trip and its impact on the child's education, particularly in terms of the continuity of learning;
- the circumstances of the family, the wishes of the parents and their cultural traditions;
- the distance to be travelled and the expense involved (for example visiting a family member in Hong Kong);
- the overall attendance pattern of the pupil.

Where holidays of more than two weeks are planned, to visit family members living overseas, schools may find it helpful to discuss with parents the most appropriate time of year and point in the pupil's educational career for the visit, so that it can be timed to minimise the effects on the continuity of the pupil's education. In cases where approval is given for such a holiday, schools may wish to consider making up a study pack or setting assignments for the pupil concerned to complete while s/he is away.

The Education (Pupil Registration) Regulations 1995 state that where a pupil has been granted extended leave of absence and subsequently fails to return to school within 10 school days of the

expiry of the agreed period of absence, and the failure is not due to sickness or any other unavoidable cause, his/her name may, following consultation with the Local Authority, be deleted from the admission register. The implications of this and the difficulties of admission to oversubscribed groups should be made clear to the family.

It is important that schools show an understanding of the parents' perspective even though they may not be able to comply with a request for absence. In discussing absence with parents (whether before or after the event) schools should show that they have taken account of the following:-

- a visit involving family overseas has an entirely different significance to that of the normal associations with a 'holiday'.
- visits may be very important in terms of the pupil's identity and self-esteem as they grow up.
- parents may feel that the reasons for their visit outweighs the importance of their child's uninterrupted attendance at school -maintaining family links (in extended family situations) may involve greater significance and greater pressures in some societies than it does currently in many western societies.
- the reasons for parents making a visit may be similar to those for indigenous parents e.g. family illness, bereavement, family business, maintaining family contacts etc.

If absence is agreed the school should:

- confirm agreement in writing (letter E).
- seek to establish, and make explicit if appropriate, the potential educational value of the visit .

- explain what work the child will miss in school, how it can be made up on return if necessary, and how the parents could help the child
- enquire whether work can be given for the child to do (with parental support) while s/he is away
- prepare a study pack
- ask the pupil to make notes/observations in relation to a class topic (current or for the following term)
- go through any work that has been done by the pupil on return
- share the experience of the visit in a positive way with other children and the class teacher on return.
- inform parent/carer of the possibility of the pupil's removal from the school roll if the pupil does not return within ten days of the agreed date and no reasonable explanation is forthcoming.

Registration Marks

H = Holiday leave is authorised (authorised absence).

G = Holiday leave is not authorised (unauthorised absence). This mark should be used for holiday absences that have **NOT** been authorised by the school or for days taken in excess of an agreed period.

F = Extended family holiday leave is authorised (authorised absence).

(Codes F and G have been introduced by the DfES and will be mandatory as of September 2006. However, these codes should be used at the commencement of this policy, but if they are not available on the school system another mark may be assigned to fulfil these functions).

Notes to Appendices

A – Family Holiday Request

- All requests for holiday leave should be submitted at least two weeks prior to the commencement of the holiday period requested.
- If request is for an extended period (i.e. three weeks or more) parents/carers will be invited in to school to discuss the request.

B - Holiday Authorisation Calculation Chart

- This should be completed by a senior member of staff.
- ‘Mitigation’ may be identified by the ‘Reason for term time holiday request’ on the parental request form, or there may be other information available to the school that impacts on the decision.
- Score is 1 to 7 holiday may be approved.
- Score is 8 or more holiday should not be authorised except at the discretion of head teacher for exceptional circumstances.

C - Standard Letter – Holiday Leave Approved

- Parents/carers should receive a response to their request within one week of the application.
- Letter should be accompanied by a copy of the completed Holiday Authorisation Calculation Chart (B).

D - Standard Letter – Holiday Leave Denied

- Parents/carers should receive a response to their request within one week of the application.
- Letter should be accompanied by a copy of the completed Holiday Authorisation Calculation Chart (B).
- This letter may also be used if denying authorisation for extended holiday leave.

E - Standard Letter – Extended Holiday Leave Approved

- Letter sent confirming discussion held with the parent/carer.
- Arrange study pack/work project.
- If request for extended leave is denied use letter D and expand on reasons.



[Name of school]

Full name of child(ren)

Address _____

Reason for application and dates

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Signature of parent(s)/carer(s)

Date

APPLICATION FOR PUPIL LEAVE OF ABSENCE FROM
SCHOOL FOR PARENTAL HOLIDAY

Office use only

Request seen by Head Teacher/Head of Year Y/N

Agreement reached Y/N

Current Att %

Other outcome

Date / /

The head teacher will consider the following points before authorising leave

1. ~~The child's previous attendance history.~~ _____
2. The age of the child(ren). _____
3. The child's stage of education. _____
4. ~~The time of year (SATS or exams).~~ _____
5. ~~The nature of the trip (an exceptional experience).~~ _____
6. Holiday already taken/granted within current academic year. _____
7. Whether the parents are restricted in terms of leave from their employer. _____

B

..... School Holiday Authorisation Calculation Chart		
Name of Pupil..... The merits of each individual request should be evaluated by providing answers to <u>ALL</u> the following questions and scoring accordingly. (* Where the holiday already taken in the current academic year exceeds the DfES guideline “i.e. maximum of 10 days in any academic year”, any further requests should NOT be authorised.)		
	Points Possible	Points
When is the holiday planned for?	September = 2pts May = 2pts Other dates = 1pt	
Pupil’s attendance level is? (Up until Autumn half term use the % figure from the previous year.)	Less than 70% = 5pts 70% to 80% = 4pts 80% to 85% = 3pts 85% to 93% = 2pts More than 93% = 1pt	
How close is the pupil to a SATs assessment or other examination?	Non-SATs/Exam Year = 1pt More than 16 wks = 1pt 8 – 16 weeks = 2pts 2 – 8 weeks = 3pts less than 2 weeks = 4pts	

B

How much holiday leave has already been authorised in current academic year?*	8 or more = 4pts 5 to 7 days = 3pts 2 to 4 days = 2pts 1 to 3 days = 1pt	
<i>Subtotal</i>		
Any special mitigating circumstances/aspects of the holiday which can be classed as part of that pupils curriculum requirements (& work set to satisfy these) as below:	Subtract 2 points from subtotal.	
Details of mitigation		
<i>Total</i>		
<p>Leave for family holiday where the total is 8 or more <u>should NOT be authorised</u></p> <p>The only exception to the above may be where there are, in the opinion of the head teacher ‘exceptional circumstances.’ (incl. religious and cultural considerations; add comment in mitigation box). If the Local Authority has begun legal proceedings holiday should NOT be authorised.</p> <p>DELETE WHERE APPROPRIATE:- REQUEST APPROVED / REQUEST DENIED</p>		

B

Completed by..... Date.....

C

..... School

Dear

Thank you for your recent holiday request form.

I am able to confirm that on this occasion I am able to authorise your child's leave of absence from *date to date*, for the purpose of a family holiday.

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C

Requests for holiday leave are never taken lightly and in taking this decision I have considered *name of pupil* overall level of attendance, academic attainment and the impact any leave may have on public examinations and tests (see attached form).

Please contact me to discuss a possible study pack or project outline that *child's name* can complete whilst away. I hope that you have a good holiday and that *name of pupil* finds it an interesting and stimulating experience.

Yours sincerely,

Headteacher

D

.....School

Dear

Thank you for your recent holiday request form.

On this occasion I am not able to authorise your child's leave of absence from *date* to *date*, for the purpose of a family holiday.

I have no wish to deprive families of a well earned family holiday but my first concern has to be the educational development of *pupil name*. Requests for holiday leave are never taken lightly and in taking this decision I have considered *name of pupil* overall level of attendance, academic

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Attendance Policy reviewed February 2010

D

attainment and the impact any leave may have on public examinations and tests (please see attached form).

If you decide to go ahead with your proposed holiday, *pupil name* absences will be marked as unauthorised. I should inform you that unauthorised absences are referred to the Local Authority who may under certain circumstance consider issuing you with a Penalty Notice or other legal action in relation to unauthorised absences.

If you wish to discuss this matter further please feel free to make an appointment to see me.

Yours sincerely,

Headteacher

E

.....School

Dear

Further to our meeting on *date*.

I am able to confirm that on this occasion I am able to authorise your child's extended leave of absence from *date to date*.

Requests for extended holiday leave are only ever granted in exceptional circumstances. *Outline reason for authorisation*.

Please contact me to discuss a possible study pack or project outline that *child's name* can complete whilst away.

I look forward to *name of pupil* returning on *date* and hope that *name of pupil* finds it an interesting and stimulating experience.

I must remind you that if *name of pupil* does not return to school within ten school days of the agreed date, without reasonable cause, *name of pupil* may be removed from the school roll.

Yours sincerely,

Headteacher

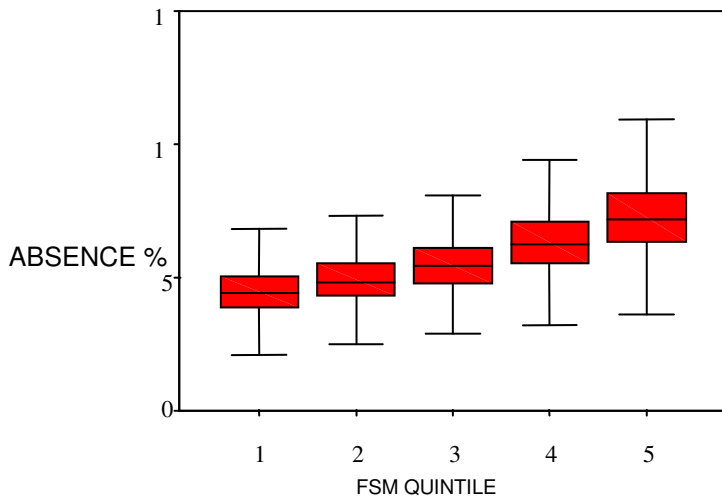
Appendix 4: LA Guidance – Absence Targets

STAFFORDSHIRE COUNTY COUNCIL Children and Life Long Learning Directorate

DfES Absence Targets

1. The new Public Service Agreement target for school absence is to reduce the 2002/03 level of school absence by 8% by 2007/08. Achieving the new target will result in around 36,000 more pupils back in school each day by 2008. In turn, we expect this improvement to support progress towards other targets, such as the key stage attainment targets.
2. The link between absence and attainment is clear. For example, in 2003, on average, three quarters of pupils in schools with absence levels of below 6.5% achieved five A*-Cs at GCSE. In schools where absence was slightly higher – between 7.5% - 8.5% - the number of pupils achieving 5 A*-Cs fell to little more than half.
3. The single strongest factor correlating with school absence rates - both authorised and unauthorised - is the proportion of pupils who receive free school meals (FSM). In estimating the level of improvement to be achieved by 2008, we grouped schools into quintiles according to their FSM rate in January 2003. The fifth quintile was divided into deciles (5A & 5B) due to its wide range. See tables below.

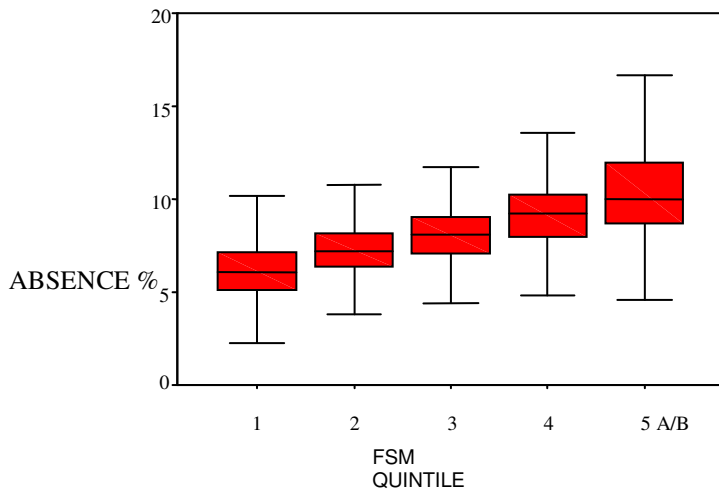
PRIMARY SCHOOL ABSENCE 2002-3 BY FSM



FSM Quintile	1	2	3	4	5A	5B
Level of FSM	0% - 3.4%	3.5% - 7.5%	7.6% - 13.9%	14.0% - 26.5%	26.6% - 37.1%	37.2%+
Absence						

Median	4.4%	4.8%	5.4%	6.3%	6.9%	7.5%
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SECONDARY SCHOOL ABSENCE 2002-3 BY FSM



FSM Quintile	1	2	3	4	5A	5B
Level of	0% - 4.8%	4.9% -	8.6% -	13.9% -	24.3% -	35.5%+

FSM		8.5%	13.8%	24.2%	35.4%	
Absence						
Median	6.1%	7.2%	8.1%	9.2%	9.9%	10.2%

4. The anticipated national level of improvement (8%) is based on the performance of all schools with absence levels above the 2003 median level for their FSM quintile improving to at least the 2003 median for that quintile. For example, a secondary school with an FSM level of 10% and absence of 9% would be expected to reduce its level of absence to 8.1% by 2008. In estimating the national level of improvement, schools at or below the median level of absence for their FSM quintile are being asked to maintain their current level of performance.

IMPROVING SCHOOL ATTENDANCE & TACKLING TRUANCY

25 August 2004

Statutory Instrument No. 58 2005
EDUCATION, ENGLAND

The Education (School Attendance Targets)(England) Regulations 2005

<i>Made</i>	<i>17th January 2005</i>
<i>Laid before Parliament</i>	<i>24th January 2005</i>
<i>Coming into force</i>	<i>14th February 2005</i>

The Secretary of State for Education and Skills, in exercise of the powers conferred upon her by sections 63 and 138 of the **School** Standards and Framework Act 1998^[1] hereby makes the following Regulations:

Citation, commencement and application

1. - (1) These Regulations may be cited as the Education (**School Attendance Targets**) (England) Regulations 2005, and shall come into force on 14th February 2005.

(2) These regulations apply only in relation to England.

Interpretation

2. - (1) In these Regulations -

"absence" means an occasion when a relevant day pupil is recorded as absent from a **school** in accordance with the Education (Pupil Registration) Regulations 1995^[2];

"the total possible **attendances**" means the number produced by multiplying the number of relevant day pupils at the **school** by the number of **school** sessions in the applicable period in that year;

"relevant day pupil" means a registered pupil of compulsory **school** age apart from a boarder;

"the applicable period" means the period starting with the beginning of a **school** year and finishing with the end of the **school** day falling on the Friday before the last Monday in May in that **school** year.

Duty to set school attendance targets

3. The governing body of every maintained **school** other than a special **school** established in a hospital shall set annual **targets** for reducing the number of absences

from **school** in accordance with regulation 4.

4. - (1) The governing body shall set a **target** and shall submit it to the local education authority-

(a) by 1st April 2005 for the **school** year commencing later in that year;

(b) by 31st December 2005 for the **school** year commencing in 2006; and

(c) by 31st December 2006 for the **school** year commencing in 2007.

(2) The annual **target** shall be the total absences expected in the **school** year, expressed as a percentage of the total possible **attendances** by pupils at the **school**.

Agreement and notification of targets

5. - (1) Where the local education authority is not satisfied with a **target** submitted by a governing body it shall forthwith give notice to the governing body; and the governing body shall submit a revised **target** within 21 days of receipt of such a notice.

(2) Where the local education authority is not satisfied with a revised **target** submitted under paragraph (1) it shall set the **target**.

(3) The local education authority shall within one month of each of the dates in regulation 4(1) above or as soon as possible thereafter notify the Secretary of State of all the **targets** submitted to it or set by it under this regulation for the relevant **school** year.

Modification of targets

6. A governing body shall not modify a **target** which has been submitted to the Secretary of State without the agreement of the local education authority.

Revocation

7. The Education (**School Attendance Targets**) (England) Regulations 1999 [\[3\]](#) are hereby revoked.

Derek Twigg

Parliamentary Under Secretary of State Department for Education and Skills

17th January 2005

Appendix 5: Procedures for checking pupil attendance each lesson

The member of staff (teacher or teaching assistant) in charge of a class or a group of children withdrawn from the class, is responsible for registering the pupils at the start of the lesson.

If any child is absent then the following procedures **must** be followed:

1. Check with responsible pupils in the class to see if the pupil is absent from school, or has legitimately left school (eg for medical appointment). If there is certainty about this, and if the pupil is not on the vulnerable list, then you do not need to do any more.
2. If there is uncertainty, for instance:
 - confusion about whether the pupil is absent from school
 - confusion about whether the pupil has legitimately gone out of schoolthen you must send a responsible pupil to the school office to check where they are.
3. If you are told that the pupil is with another member of staff, or has gone to one of the offices, you may wait **a few minutes only** to allow them time to arrive. Then you must send a responsible pupil either to the member of staff or to the school office to check where they are.
4. Senior staff who have cause to take a pupil out of class should ensure that the pupil returns to class.

5. Staff must ensure that pupils who are allowed out of class, for instance to go to the toilet, return to the classroom.
6. Pupils identified for the purpose of these procedures as 'vulnerable' should be checked immediately if they do not turn up for class.