



MOUNTS  
BAY

# Student Attendance Policy

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## **Introduction**

At Mounts Bay we believe that everyone possesses the innate qualities needed for brilliance and success — they just need to work hard, have a positive attitude and make the most of opportunities.

A passion for developing and supporting talent has created an environment where everyone is empowered to realise and embrace their true potential.

The Governing Body have therefore adopted this policy to provide a clear framework for ensuring good student attendance.

## **LINKED DOCUMENTS**

Penalty Notices - Process Requirements for Schools. Cornwall Council August 2021

School Attendance - Guidance for Maintained Schools, Academies, Independent Schools and Local Authorities August 2020

Improving School Attendance – Support for Schools and Local Authorities January 2022 update

## **Aims**

- Mounts Bay Academy is committed to providing an education of the highest quality for all its students and recognises this can only be achieved by supporting and promoting excellent school attendance by all. Only by attending school regularly, and punctually, will children and young people be able to take full advantage of the educational opportunities available to them. High attainment depends on good attendance.
- The whole academy community – students, parents and carers, tutors and crew leaders, the Student Services team, teaching and support staff and school governors – have a responsibility for ensuring good school attendance and have important roles to play. The purpose of the policy is to clarify everyone's part in this.
- The policy is based on current government and Local Authority guidance and statutory regulations. The academy will ensure that all relevant parties know of the policy and have access to it.

## **Objectives**

The primary objectives of this policy are:

1. To support the safeguarding of all children and families ensuring that students are in school.
2. When they are not in school, this policy sets out the procedures used for knowing where they are and safeguarding them.
3. To identify the strategies used to improve attendance and sets out the circumstances in which they may be deployed
4. To ensure that young people want to be at school, as the main driver to improve attendance
5. To establish what the barriers are to attending school – then try to remove them

6. To ensure that the consequences of not being at school have enough impact to change behaviours

## **Systems and strategies for managing and improving attendance**

Attendance has a very high profile at Mounts Bay Academy and is regularly discussed at assemblies and in tutor groups and crew meetings. Parents and Carers are regularly reminded in newsletters and school meetings about the importance of good attendance and its links to attainment, and weekly attendance figures are displayed in school. Current attendance rates for individual students are available to students and parents/carers through Edulink.

The main driver to improve attendance is to make young people want to be at school, and a range of strategies are employed by staff in order to make the student feel welcome at school:

1. Tutors and Crew leaders give a warm welcome to their students at the beginning of the day
2. Celebration of high rates of attendance - both verbal and through the school rewards system
3. Celebration of academic progress
4. Constant reminder that school is needed in order to make the most of life chances
5. The availability of one to one support through the Student Provision team

### **First Day Calling**

Mounts Bay Academy has in place a system of first-day calling (and texting). This means that parents/carers will be telephoned (or texted) on the first day a student is absent without explanation to establish a reason for the absence. This helps to identify at an early stage, students who do not have a good reason for absence or who may be absent without their parents' or carers' knowledge. Where it is not possible to make contact with parents/carers on the first day of absence, the academy will continue to try to make contact by phone or if necessary by post. It does however remain the expectation that parents/carers should call on the first day of any absence.

Full details of the stage by stage process can be seen in the attendance flowchart in Appendix 4.

### **Meetings with Parents/Carers**

Where there is an emerging pattern to a student's absence over a 3 to 4 week period (or sooner if staff are particularly concerned), with or without explanation, the Tutor will invite parents/carers to a meeting to discuss the reasons for the absences. Plans should be put in place with the parents/carers and student to resolve any difficulties and improve the attendance within a specified time limit – usually no more than 6 weeks. It will be explained to parents/carers that any future absences will be unauthorised unless there is clear evidence of a good reason for them.

If it is decided to proceed to prosecution, then a home visit will be arranged to discuss issues and any barriers to attendance.

### **Referral to the Education Welfare Service**

If there continues to be unauthorised absences by the end of the specific time (or sooner if the student is failing to attend school at all), the case will be addressed by the relevant Head of School who oversees student attendance.

### **Lateness and punctuality**

Students are expected to arrive at school, and be in the correct room for their tutor time, on time every day, and to then register in class for Period 1. It is very disruptive to their own education and that of others in their class if they are late. Students who arrive after the register closes will be marked absent for the whole session (a session being a morning or an afternoon). This absence will be unauthorised unless the academy is satisfied that there is a legitimate reason for the student to be late. Such a reason will not include things such as missing the bus, clothes in the washing machine or lost shoes. A student who is persistently absent by reason of lateness will be dealt with in the same way as other students with an emerging pattern of absence. If the matter is not resolved quickly, it will be referred to the relevant Head of School who oversees student attendance.

Students who arrive late for school but before the register closes are monitored for frequency of lateness. If the lateness is persistent, the parents/carers will be requested to give a reason. Poor attendance is recorded on SIMS and it also attracts an N code and resultant sanction (cf. Behaviour Policy).

For health and safety reasons it is important that the academy knows who is in the building. Students arriving late should therefore report to the Main Reception to sign in. It is important that all students arriving late follow this procedure.

For the same reason it is important that students leaving the premises legitimately (e.g. for a medical appointment), or returning to school later in the day report to the Main Reception.

### **Post-registration truancy**

Post-registration truancy occurs when a student goes missing from school having previously registered for the session. This behaviour not only means the student will not be receiving a full-time education, it also potentially renders them vulnerable to harm. Mounts Bay Academy takes this very seriously and will endeavour to ensure it does not happen. If, however, a student appears to have left the premises without authorisation, the academy will try to make contact with their parents/carers immediately. The academy's Behaviour policy will be used.

### **Term-time Holidays**

Term-time holidays will not be authorised, except in exceptional circumstances.

Mounts Bay Academy will consider every application individually; however, the academy's policy is to NOT grant leave of absence for a holiday other than in the most exceptional circumstances. An application must be made using the appropriate school holiday form, at least **two weeks** in advance of the intended holiday.

Mounts Bay Academy will respond to all requests for a leave of absence in writing, using the request form (Appendix 2).

## **Extended leave of absence**

In considering absence for extended trips overseas Mounts Bay Academy will take account of the following:

- a visit to family overseas has a very different significance from a normal 'holiday'
- such visits may be important in terms of children's identity and self-esteem as they grow up
- parents/carers may feel that the reasons for their visit outweigh the importance of their child's uninterrupted attendance at school (although parents/carers could be encouraged to use the school holiday periods for at least part of their trip)
- the reasons for wishing to make a visit is more difficult, particularly for minority ethnic families, where huge distances and high costs are involved
- where extended leave of absence is granted there will be an expectation that the student undertakes some school-set work during this period.

## **Issuing of Penalty notices in respect of Unauthorised absence from school**

Penalty Notices are issued by Cornwall Council under sections 444A and 444B of the Education Act 1996. They are issued following a referral from an authorised person at Mounts Bay Academy, this will be the Principal, the Senior Vice Principal, one of the Heads of School, or any other member of staff as delegated by the Principal. However, no referrals will be made without all of these parties being aware.

Parents/carers will be committing an offence if they fail to ensure the regular and punctual attendance of their child at the school where their child is registered, unless the absence has been authorised by the school.

Having consulted with the Education Welfare Service and other local schools, the academy has established a list of criteria which need to be met before parents/carers can be considered for a Penalty Charge referral:

- The overall record of attendance for the individual student in the current academic year should be less than 94.5%
- The individual student should have at least twelve sessions of unauthorised absence within the space of 100 sessions (ten school weeks) – this is equivalent to 6 days of absence over ten x five-day school weeks
- The student is not a child in care
- The student is not a young carer
- Where an unauthorised holiday is taken: The parent/carer applied for absence due to a term time holiday to be authorised and the academy did not authorise this and informed the parent/carer in writing using the appropriate letter which details the possibility of a penalty charge being issued; and the parent/carer removed the student from school for the holiday despite the absence not being authorised

- In the case of persistent poor attendance: There is evidence of a clear series of warnings being given to the parent/carer prior to instances of unauthorised absence. These warnings have been written and contain full details of the consequences of further unauthorised absences; The academy has offered support in terms of face to face meetings; and these meetings have either not been attended by the parent/carer or not had the desired effect of stopping the unauthorised absence.

Prior to the issuing of a Penalty Notice, the following criteria must be considered and satisfied:

1. Will this be an effective measure in helping the pupil return to school and/or ensure future regular attendance?
2. Is it reasonable to expect that the parent/carer is capable of ensuring the pupil's regular attendance?
3. Is there evidence of a lack of parental/carer cooperation in responding to the advice/support offered?
4. When considering whether or not a Penalty Notice is appropriate, it should also be borne in mind that if the parent were to fail to pay the Penalty, they could not be prosecuted for the non-payment of the penalty itself but would have to be prosecuted for the original offence to which the Penalty Notice relates; and prosecution proceedings for the particular offence for which the Penalty Notice was issued could not be initiated until after the final deadline for payment has passed i.e. 28 days after receipt of the Notice.

Exact details of the procedure to be followed for referrals concerning penalty notices are to be found in the linked document Code of Conduct For Issuing Penalty Notices In Respect Of Unauthorised Absence from School 2017

## **School's roles and responsibilities**

### **Staff**

All staff (teaching and support) at Mounts Bay Academy have a key role to play in supporting and promoting excellent school attendance and will work to provide an environment in which students are eager to learn, feel valued members of the school community and look forward to coming to school every day. Staff have a responsibility to set a good example in matters relating to their own attendance and punctuality.

In line with the ethos and vision of Mounts Bay Academy, school staff are supportive in their approach to improving rates of attendance and some of the supportive strategies used are outlined in Section 5 of this policy.

However, where these strategies do not have the desired effect and attendance continues to be a concern, this policy outlines a range of more punitive measures which can be used alongside the supportive strategies.

## **Senior Leadership Team**

The Vice Principal with responsibility for Social Development leads the Heads of School, Heads of Year, Heads of House, Learning Support Mentors, Head of Inclusion, the Attendance Officer in promoting regular and improved attendance, and will ensure the Attendance Policy is consistently applied throughout the academy.

The Assistant Principal overseeing attendance will ensure that:

- up-to-date attendance data and issues are shared with the SLT
- are made available to tutors, crew leaders, other staff, students and parents/carers;
- Parents/Carers are reminded about the importance of good school attendance
- Reports are prepared for the governing body.
- Attendance issues are identified at an early stage and that support is put in place to deal with any difficulties.

## **Registration**

The academy is required to mark the attendance register twice each day; once at the start of Period 1 and once during the afternoon session. Classroom teachers are responsible for completing the attendance registers using the teacher app on their iPads.

- The register will be called promptly at 8:40 am, and also within ten minutes of each lesson starting at 9:10, 10:40, 12:05 and 14:00. A mark will be made during the registration period in respect of each child.
- The morning register usually closes at 9:10, and any student who arrives after the closing of the register will count as absent. Students who arrive late but before the register closes will be counted as present but there will be a sanction set by the Tutor, Crew Leader or Head of Year.

## **Categorising absence**

A mark will be made in respect of each child during registration. Any child who is not present at this time will be marked as an unauthorised absence unless leave has been granted by the academy and the reason for absence is already known and accepted by the academy as legitimate. Where a reason for absence is given and accepted by the academy at a later stage, the register will be amended in such a way that the original entry and the amendment / correction are distinguishable.

Mounts Bay Academy recognises the clear links between attendance and attainment, and between attendance and safeguarding children. It recognises that inappropriate authorisation of absence can be just as damaging to a child's education, as authorised absence will potentially send a message to parents/carers that any reason for non-school attendance is acceptable and can render children extremely vulnerable to harm. If absence is frequent or continuous, and except where a child is clearly unwell, staff at Mounts Bay Academy will challenge parents/carers about the need and reasons for their child's absence and will encourage them to keep absences to a minimum. A note or explanation from a student's home does not mean an absence becomes authorised. The decision whether or not to authorise an absence will always rest with the academy.



If no explanation about an absence is received by the academy within 2 weeks, the absence will automatically be marked as an unauthorised absence. This changes the code from a 'N' to an 'O'. A full list of absence codes and their descriptions can be seen in **Appendix 1**.

Absence will be authorised in the following circumstances:

- a) where leave has been granted by the school in advance, for example –
  - A student is to participate in an approved performance for which a licence has been granted by the Local Authority.
  - A student is involved in an exceptional special occasion – in authorising such an absence the individual circumstances of the particular case and the student's overall pattern of attendance will be considered. Exceptional circumstances for absence can only be authorised by the Principal.
- b) Where the school is satisfied that the child is too ill to attend.
- c) Where the student has a medical appointment (although parents/carers should be encouraged to make these out of school hours wherever possible, and to return their child to school immediately afterwards – or send the child to school beforehand.
- d) Where there is an unavoidable cause for the absence which is beyond the family's control, e.g. extreme weather conditions.
- e) The absence occurs on a day exclusively set aside for religious observance by the religious body to which the student or student's parents/carers belong.
- f) The student lives more than three miles and no suitable transport arrangements have been made by the Local Authority.
- g) The student is of no fixed abode, the student's parent/carer is engaged in a trade which required the student to travel, the student has attended school as often as the nature of the trade permits and the student has attended 200 sessions in the preceding 12 months.
- h) In other exceptional circumstances (e.g. a family bereavement) and for a very limited period.

Except in the circumstances described above, absences will be unauthorised.

Some examples of reasons for not authorising absence would be:

- no explanation has been given by the parent
- the school is not satisfied with the explanation
- the student is staying at home to mind the house
- the student is shopping during school hours
- the student is absent for unexceptional reasons, e.g. a birthday
- the student is absent from school on a family holiday
- The student has been stopped during a truancy sweep and is unable (or the parent is unable) to give a satisfactory reason for the absence.

### **Approved educational activity**

Where a student is engaged in off-site approved educational activities, the academy will check the student's attendance on a daily basis before entering the appropriate code in the register.

### **Staff Training**

The Member of SLT & Attendance Manager will ensure that all staff responsible for taking registers, including any temporary or supply staff, receive sufficient training to enable them to perform the task accurately.

### **Alternative Provision**

There are a number of students for whom alternative provision is set up. This might be with an alternative provider such as the Penwith WAVE Academy or the Cornwall Hospital Education Service (CHES). The academy has a range of partners with whom they work collaboratively to provide a range of packages for students. Some of these provisions are part time and some are a combination of school-based education and off-site provision. Referral to these programmes comes from a member of the Student Services team working in partnership with the external provider. Safeguarding is paramount and it is essential that the school knows the whereabouts of students who are involved in alternative programmes.

## **8. Parents' / carers' responsibilities**

The prime responsibility for ensuring children receive an appropriate and full-time education rests with parents / carers (defined by the **Education Act 1996** as those with parental responsibility and those who have the care of a child), who will be supported and encouraged by Mounts Bay Academy.

Mounts Bay Academy expects that parents / carers will:

- ensure their children attend the academy regularly;
- support their children's attendance by keeping requests for absence to a minimum;
- Not expect the academy to automatically agree any requests for absence, and not condone unjustified absence from school.

Parents / carers will also be expected to:

- notify Mounts Bay Academy on the first day of absence, by telephoning the school's (01736 363240 ext. attendance) before 9.10am.
- ensure their child arrives at school on time, properly dressed and with the right equipment for the day
- work in partnership with the academy, for example by attending parents'/carers' meetings and consultations, taking an interest in their child's work and activities
- contact the academy without delay if they are concerned about any aspects of their child's school life. Mounts Bay Academy will endeavour to support parents to address their concerns.

## **9. Students' responsibilities**

All students should be aware of the importance of regular school attendance. If they are having difficulties that may prevent them from attending school regularly, they should speak to their Tutor, Crew Leader or Head of Year.

Students should attend all their lessons on time, ready to learn. If they have been absent from school they should give a note from their parents/carers to explain the absence to a member of the Student Services team. Students also have a responsibility for following school procedures if they arrive late.

## **10. Governors' responsibilities**

The governing body will make arrangements to ensure that their functions relating to the conduct of the academy are exercised in a way that safeguards and promotes the welfare of children who are students at the academy.

## **11. Collection and analysis of data**

Mounts Bay Academy will ensure that attendance data is complete, accurate, analysed and reported to the senior leadership team, parents/carers and the governing body. The data will inform the academy's practice to improve attendance and prevent disaffection.

Attendance is monitored by house, subject, and faculty and by reasons for absence. It is also analysed by gender, ethnicity, students with special educational needs, those in receipt of the Pupil Premium, and those who are vulnerable to poor attendance.

Accurate attendance returns are made to the DFE within the stipulated time frame.

In the case of a student transferring school, the attendance record from their previous school comes with them ie. A student who is approaching prosecution and has EWO involvement at a previous school cannot erase this record of poor attendance by moving to the roll of another school.

## **12. Monitoring and Review**

The Principal will ensure that:

- a recording and reporting system is in place and is maintained;
- attendance statistics, strategies and impacts are reported to the Senior Leadership Team

The Governing Body receives monitoring reports on attendance and the implementation and effectiveness of this policy.

The effectiveness of the policy will be measured by the overall rates of student attendance and the numbers of students falling into the Persistent Absence category.

The Attendance policy will be reviewed by the Governing Body every 2 years.

## Appendix 1

### REGISTER CODES

CODE	DESCRIPTION	MEANING
/	Present (AM)	Present
\	Present (PM)	Present
B	Educated off site (NOT Dual registration)	Approved Education Activity
C	Other Authorised Circumstances (not covered by another appropriate code/description)	Authorised absence
D	Dual registration (i.e. student attending other establishment)	Approved Education Activity
E	Excluded (no alternative provision made)	Authorised absence
F	Extended family holiday (agreed)	Authorised absence
G	Family holiday (NOT agreed or days in excess of agreement)	Unauthorised absence
H	Family holiday (agreed)	Authorised absence
I	Illness (NOT medical or dental etc. appointments)	Authorised absence
J	Interview	Approved Education Activity
L	Late (before registers closed)	Present
M	Medical/Dental appointments	Authorised absence
N	No reason yet provided for absence	Unauthorised absence
O	Unauthorised absence (not covered by any other code/description)	Unauthorised absence
P	Approved sporting activity	Approved Education Activity
R	Religious observance	Authorised absence
S	Study leave	Authorised absence
T	Traveller absence	Authorised absence
U	Late (after registers closed)	Unauthorised absence
V	Educational visit or trip	Approved Education Activity
W	Work experience	Approved Education Activity
X	Non-compulsory school age absence	Not counted in possible attendances
Y	Enforced closure	Not counted in possible attendances
Z	Student not yet on roll	Not counted in possible attendances
#	School closed to students	Not counted in possible attendances

## Mounts Bay Academy

### Request for leave of absence in exceptional circumstances

(Please read carefully the Absence from School for Exceptional Circumstances Information for Parents, which is attached)

<b>Name of student</b>	
<b>Tutor group</b>	
<b>Start date of absence</b>	
<b>Return date from absence</b>	
<b>Number of school days missed</b>	
<p>Please detail below the <i>exceptional</i> reason for your request for absence in term time and include any supporting information. The Academy will not be able to consider your request without your supporting documents.</p>	
<p><b>Declaration:</b> <i>I have read the Absence from School for Exceptional Circumstances Information for Parents and understand I/we may receive a penalty notice if my/our child receives unauthorised school absence as a result of this request. <b>Please note the school day is divided into 2 registration periods, for example if your child is absent for one day this equals 2 sessions and a five-day absence equals 10 sessions.</b></i></p>	
<b>Signed (parent/carer)</b>	<b>Date</b>

**For official use only**

**To be completed by Tutor and submitted to the Attendance Manager**

<b>Current attendance %</b>	
<b>Has leave been requested previously?</b>	<b>Y / N</b>
<b>Current attainment</b>	<b>Outstanding / Good / Satisfactory / Poor</b>
<b>10 days notice given?</b>	<b>Y / N</b>
<b>Supporting documents submitted?</b>	<b>Y / N</b>
<b>Tutor</b>	<b>Date</b>

**To be completed by SLT lead**

	<b>Signed / Date</b>
<b>Supporting documents seen by</b>	
<b>Thank you for your request, which has been authorised.</b>	
<b>Thank you for your request. Unfortunately, this request has not been authorised for the following reasons -</b>	

Original signed and completed forms to be retained with student's records.

Copy should be returned to the parent/carer of the student to confirm authorised or unauthorised absence prior to the intended absence period.

## **Absence from School for Exceptional Circumstances Information for Parents**

### **Your Legal Responsibility**

You have a legal duty to make sure your child attends school regularly and punctually. The Academy will monitor attendance and take action if it is poor.

### **Applying for Leave of Absence**

You must obtain permission from the Principal if you want to take your child out of The Academy during term time. You can only do this if:

- you make an application in advance (at least 10 days) and
- there are **exceptional circumstances** or
- The leave of absence is requested so that your child can engage in an out of school educational activity such as a performance with a music group such as Cornwall Youth Orchestra, or a recognized sporting boy, for example.

It is at the discretion of the Principal how many days your child can be away from MBA if leave is granted. We will look at your child's attendance and progress before we make a decision.

### **Planning**

Academy holiday dates are published well ahead to help you plan your holidays. Please check these dates because holiday leave cannot be authorized unless there are **exceptional reasons** for a holiday to be taken in term time.

Permission cannot be given for a normal family holiday or because holidays are cheaper during term time. We cannot authorise leave for birthday treats or shopping trips. Whilst appreciating that many of our families are involved in seasonal work, this cannot count as an 'exceptional circumstance'.

### **Warning**

If you take your child out of school without permission you will be committing an offence under the Education Act 1996. We may refer the matter to the Education Welfare Service who may decide to issue a Penalty Notice under Section 444A and 444B of the Education Act 1996. This carries a fine of £60 per child per parent if paid within 21 days or £120 if paid after this but within 28 days. Failure to pay the penalty notice will result in Court action.



## Checklist for Penalty Notice Referral

Student Name			
Current rate of attendance (must be less than 94.5%)	%		
Child in Care	Y/N		
Young Carer	Y/N		
First Parent/Carer contact name			
Dates of most recent ten unauthorised sessions of absence (Must be within 100 sessions/10 weeks)			
School action taken:	Date actioned?	By Whom?	Comments?
First Day Call			
1 <sup>st</sup> letter			
2 <sup>nd</sup> letter			
3 <sup>rd</sup> letter			
Broken Weeks letter			
N codes letter			
Medical evidence required letter			
Attendance clinic requested			
Referral to EWO			
Holiday request received			
Holiday request refused			
Belief that a penalty charge will improve attendance in this case?			
Summary of thinking behind this case			
Cross referenced with MBA Attendance policy			
Documents attached			
Case discussed with?	Staff codes and date of discussion		

Signed \_\_\_\_\_ Date Signed \_\_\_\_\_

Signed \_\_\_\_\_ Date Signed \_\_\_\_\_

## Mounts Bay Academy

### Day to Day procedures for Raising levels of Attendance

#### Form Tutors

- a) **Rewards positive attendance wherever** possible - warm welcome, particularly after absence
- b) Fortnightly celebration of top attending house via data shared in house assemblies and crew sessions
- c) First day calling/text Attendance Manager
- d) Have conversation with any student absent in the week, stressing importance of full attendance.
- e) Collect absence notes and send to reception.
- f) Contact home if no absent note has been handed in after 2 days.
- g) Carefully monitor students whose attendance has fallen below 93%. Establish reasons/patterns of absence. Liaise with HoY
- h) Identify students with regular broken weeks and make a supportive phone call home re concerns.
- i) CPOM any emails or letters from parents requesting time off. Requests for term time leave of absence forms can be collected from reception. Please complete the reverse of the sheet.
- j) Ensure punctuality is monitored. Record as late and issue m codes for students arriving late at tutor or crew sessions
- k) Contact home once 3 lates have been recorded in a semester. LTD will be issued
- l) Att 1 letter is to be sent by tutor when attendance falls below 90%. Liaise with JD
- m) CPOMS all interactions.

#### Heads of Year

- a) Quality Assure stage 1 processes.
- b) Issue Att 2 letter if further absences are incurred after sending of Att 1 letter
- c) Att 2 letter requests attendance clinic. This can be with HoY or Tutor.
- d) At meeting discuss any barriers to learning and accommodate any requests where appropriate. Initiate any appropriate interventions.
- e) Inform parents that if there is no improvement, medical evidence will be required before we can authorise absences.
- f) Persistent lateness but arriving before registers closed can be dealt with by means of conversations and M codes and appropriate sanctions
- g) CPOMS all interactions

#### Assistant Principal - Attendance

- a) Quality Assure stage 2 processes.
- b) Where there is continued absence following the attendance clinic mtg (cf c/d/e above), issue a medical evidence or att 3 letter - whichever is most appropriate
- c) Meet with student and parents to highlight concerns. Explain possible consequence of the case moving to prosecution
- d) Review any further barriers to full attendance and consider short term alternative provision if appropriate.
- e) Where there are continued concerns, discuss with VP and HoY re next steps, which could be prosecution

- f) Complete Child Missing Education referral where students have been absent for 2 weeks without any contact.
- g) Consider the use of PN if there are ten sessions of unauthorised absence in a period of 100 sessions - this could be absence of any type, including unauthorised holiday
- h) CPOMS all interactions.

### **Prosecution Process**

If it is decided at the meeting above to proceed to prosecution, then this model is to be followed:

- a) Home visit arranged to discuss issues and any barriers to attendance. VP
- b) Monitor weekly and issue first warning letter of prosecution when 10 further unauthorised sessions have been recorded.
- c) Continue to monitor and issue second warning letter. Set up Education Planning Meeting with parents and any relevant agencies. Decide whether final warning should be issued or whether new information has emerged, requiring further support to be put in place.
- d) Where final warning has been given and a further 10 sessions of unauthorised absence has been accrued, prepare legal papers and submit to Cornwall Council

ATT1

[Date]

[Recipient Name]

[Address]

[City, County]

[Postcode]

Dear [Recipient Name]:

Student attendance at Mounts Bay Academy is above the national average for secondary schools and we are pleased that the majority of students contribute to this. The Academy offers an exciting curriculum in a caring and nurturing environment where the best of each individual is recognised and celebrated - this provides a fantastic foundation for life in the 21st century world. Therefore, students need to attend regularly in order to benefit from this provision. Of course, it is also a criminal offence for a parent/carer not to get their child to attend school regularly.

I am writing with regard to [names'] attendance which is giving cause for concern. As you can see from the enclosed registration sheet [name] has an attendance of [xx.x]%, and this is below statutory expectations. 90% attendance equates to missing one day of school a fortnight which adds up to nearly four weeks of school over the course of an academic year. 90% attenders miss 19 days of school each year.

Though 90% might initially seem quite a high percentage, a 90% attender would miss around 110 hours of education over the year.

***'Parents/Carers have a legal responsibility to ensure that their children attend school from age 5 to 16' 'Improving Attendance at School', DfE guidance 2012***

I appreciate that you are aware of the absences but there will be a marked effect on progress if the absence continues at this rate. It is suggested that a 1% increase in attendance can equate to a 5-6% improvement in examination results at the end of Year 11.

In some cases, parents/carers will be issued with a penalty notice for the non-attendance of their children at school (section 444a and 444B of the 1996 Education Act). This takes the form of a fine which can lead to prosecution if not paid. The Penalty notice is currently £60 rising to £120 if not paid within 21 days

[name] is not at that stage as yet and I am confident that [name's] attendance will improve. If you feel the Tutor, Head of Year or other staff can help you in improving attendance, please do not hesitate to get in touch with me.

Yours Sincerely

[Your Name]

[Title]

## Appendix 6

ATT2

[Date]

[Recipient Name]

[Address]

[City, County]

[Postcode]

Dear [Recipient Name]:

Student attendance at Mounts Bay Academy is above the national average for secondary schools and we are pleased that the majority of students contribute to this. The Academy offers an exciting curriculum in a caring and nurturing environment where the best of each individual is recognised and celebrated - this provides a fantastic foundation for life in the 21st century world. Therefore, students need to attend regularly in order to benefit from this provision. Of course, it is also a criminal offence for a parent/carer not to get their child to attend school regularly.

I contacted you on [date] with regard to [name]'s attendance. Unfortunately, this has not improved and the attendance figure has now dropped to [\*\*. \*] %.

This is of considerable concern to us and I would like to invite you into school for an attendance meeting. Please could you contact myself as Head of Year or your Tutor to arrange a mutually convenient time and date for us to meet up to help us to resolve any barriers to full attendance? If we do not hear from you within five days from the date of this letter we will be contacting you in order to arrange this meeting.

I appreciate that you are aware of the absences but there will be a marked effect on [name's] education if [name] is in not at school. It is suggested that a 1% increase in attendance can equate to a 5-6% improvement in examination results at the end of Year 11.

The Student Services team at Mounts Bay Academy are here to help parents and carers in cases of poor attendance. They can liaise with medical professionals in the case of absence through illness, as well as social services and other welfare organisations; all with the intention of improving attendance (that tackle a wide range of reasons for absence).

Given that this is the second communication, we are now approaching the stage where a penalty notice could be issued to you under sections 444A and 444B of the 1996 Education Act, with the possibility of prosecution for non-payment, particularly in the case of unauthorised absences. The Penalty notice is currently £60 rising to £120 if not paid within 21 days.

Yours Sincerely

[Your Name]

[Title]

## Appendix 7

ATT3 & Medical Evidence

[Date]

[Recipient Name]

[Address]

[City, County]

[Postcode]

Dear [Recipient Name]:

Further to our previous communications, we remain very concerned about [name]'s level of attendance which remains a worry at [\*\*]%. In line with guidance from the Education Welfare Service, we have taken the decision that we are now no longer able to code [name]'s absence as illness unless we have medical confirmation that this is the case. The academy will need to see a dated appointment card, doctor's note, prescription or similar official document before we authorise the absence as illness. If this information is not provided then the absence will be recorded as unauthorised.

The enclosed registration sheet will give you details of specific days of absence.

The Tutor, Head of Year and Student Services team at Mounts Bay Academy are here to help parents and carers in cases of poor attendance. They can liaise with medical professionals in the case of absence through illness, as well as social services and other welfare organisations; all with the intention of improving attendance (that tackle a wide range of reasons for absence.)

This case has been referred to me and I shall discuss next steps with Mr. Hall, Academy Principal, who is accountable for attendance at the academy.

**Next steps will be considered at a meeting on [date] at [\*\*]am/pm, and you are strongly encouraged to attend.**

You will be aware from my previous letter that a possible outcome from this meeting could be the issuing of a penalty notice against yourself (section 444a and 444B of the 1996 Education Act), which could lead to prosecution if not paid. Please refer to the Student Attendance Policy which can be seen on our website or is available from the academy. The Penalty notice is currently £60 rising to £120 if not paid within 21 days.

I appreciate that you are aware of the absences but there will be a marked effect on [name's] education if [name's] persists in not being at school. I hope [name's] attendance will improve and if you feel you need to discuss this please contact me at your convenience.

Yours Sincerely

Mr S Royle  
Vice Principal

## Appendix 8

Truancy

[Date]

[Recipient Name]

[Address]

[City, County]

[Postcode]

Dear [Recipient Name]:

Student attendance at Mounts Bay Academy is above the national average for secondary schools and we are pleased that the majority of students contribute to this. The Academy offers an exciting curriculum in a caring and nurturing environment where the best of each individual is recognised and celebrated - this provides a fantastic foundation for life in the 21st century world. Therefore, students need to attend regularly in order to benefit from this provision. Of course, it is also a criminal offence for a parent/carer not to get their child to attend school regularly.

Unfortunately, I have to inform you that [name] walked off site at [time] on [date]. This obviously contravenes academy rules, but does raise a serious health and safety challenge. You have chosen to send [name] to Mounts Bay Academy and our job is to keep all of the young people in our care safe. This cannot happen if they do not follow instructions and leave the school site.

This truancy has been recorded as unauthorised absence.

***'Parents/Carers have a legal responsibility to ensure that their children attend school from age 5 to 16'***

**'Improving Attendance at School', DfE guidance 2012**

Parents/Carers of students who have ten or more sessions of unauthorised absence can be issued with a penalty notice under sections 444A and 444B of the 1996 Education Act, with the possibility of prosecution for non-payment, particularly in the case of unauthorised absences. The Penalty notice is currently £60 rising to £120 if not paid within 21 days.

Yours Sincerely

[Name]

Head of Year [x]

## Appendix 9

Broken-weeks

[Date]

[Recipient Name]

[Address]

[City, County]

[Postcode]

Dear [Recipient Name]:

Student attendance at Mounts Bay Academy is above the national average for secondary schools and we are pleased that the majority of students contribute to this. The Academy offers an exciting curriculum in a caring and nurturing environment where the best of each individual is recognised and celebrated - this provides a fantastic foundation for life in the 21st century world. Therefore, students need to attend regularly in order to benefit from this provision. Of course, it is also a criminal offence for a parent/carer not to get their child to attend school regularly.

As Tutor, I am becoming increasingly concerned about [name's] attendance which has fallen to [\*\*]%. We are enclosing the attendance register and as you can see, [name] has had [x] out of [x] broken weeks - a broken week being a five-day school period where there has been at least one day of absence.

I would ask you to get in touch with me as soon as is possible either by telephone via the main reception on 01736 363240 or in person. If we are unable to improve this attendance figure then further steps could well be taken which could include the need for all absences to be supported by medical documentation, further meetings at school, the issuing of a Penalty Notice against the parent or even prosecution.

***'Parents/Carers have a legal responsibility to ensure that their children attend school from age 5 to 16'***

**'Improving Attendance at School', DfE guidance 2012**

I appreciate that you are aware of the absences but there will be a marked effect on progress if the absence continues at this rate. It is suggested that a 1% increase in attendance can equate to a 5-6% improvement in examination results at the end of Year 11.

I do hope that we are able to get in touch and get [name] into school more regularly.

Yours Sincerely

[Name]

Tutor [x]



## Appendix 10

A10

[Date]

[Recipient Name]

[Address]

[City, County]

[Postcode]

Dear [Recipient Name]:

I am writing regarding your request to take [name] out of school from [date], and I am pleased to let you know that this absence has been authorised by the academy. This is an exceptional circumstance and we are pleased to support this.

We would ask that steps are made to make up whatever work is missed through this absence as there is no substitute for being in school and in the lessons delivered by qualified professional teachers, but our academy policy does allow absence to be authorised in exceptional circumstances.

Please refer to the Academy's Attendance Policy which can be found on the school website.

If there are any further details that you require, please do not hesitate to contact me.

Yours Sincerely

Mr L Hall  
Principal

## Appendix 11

A11

[Date]

[Recipient Name]

[Address]

[City, County]

[Postcode]

Dear [Recipient Name]:

I am writing regarding your request to take [name] out of school from [date].

The law states that a planned absence from school should only be authorised for students in 'exceptional circumstances' Here at Mounts Bay Academy, we recognise that there are occasions when it is appropriate to authorise an absence; we look at each request on its own merit, taking into account purpose, attendance history and study commitment and seldom authorise a request for students in Year 10 and 11.

Under the circumstances, we are unable to authorise your request for absence. If [name] does not attend school on the dates concerned, the absence will be recorded as unauthorised.

[name]'s attendance is currently [xx.x%].

- (i) If your child continues [his/her] schooling at this rate [he/she] will miss the equivalent of [number] terms over [his/her] 1, 2, 3 4, or 5 years at Mounts Bay Academy.
- (ii) [Name] is missing more school than [his/her] classmates, whose average attendance is above 94.5%.

If you still decide to take your child out of school, without permission, you will be committing an offence under the Education Act 1996. We will refer the matter to Cornwall Council to consider legal action against you. A penalty notice can be issued under section 444a and 444b of the Education Act 1996. This carries a fine of £60 if paid within 21 days or £120 if paid after this but within 28 days. Failure to pay the penalty will result in court action. Persistent absences, not authorised by the school may result in a prosecution in the Magistrates' Court leading to fines up to £2500 and/or custodial sentences.

Please refer to the School's Attendance Policy which can be found on the school website.

I would like to offer you the opportunity to contact the Student Services Team at Mounts Bay Academy if you would like advice or support in helping your child to attend school more regularly. Mounts Bay Academy is committed to maximising the education of all its students and aims to work with parents and carers to ensure this can be achieved. If you would like to discuss this further, please contact the academy.

Yours Sincerely

Mr L Hall  
Principal

## Appendix 12

A12

[Date]

[Recipient Name]  
[Address]  
[City, County]  
[Postcode]

Dear [Recipient Name]:

I am writing regarding your request to take [name] out of school from [start date] to [end date].

The law states that planned absence from school should only be authorised for students in 'exceptional circumstances'. At Mounts Bay Academy, we recognise that there are occasions when it is appropriate to authorise an absence, and we look at each request on its own merit, taking into account purpose, attendance, history and study commitment. We rarely authorise a request for students in Year 10 and 11.

Under the circumstances, we regret that we are unable to authorise your request for absence. If [name] does not attend school on the dates concerned, the absence will be recorded as unauthorised.

If you still decide to take your child out of school, without permission, you are committing an offence under the Education Act 1996. We may refer the matter to Cornwall Council who may decide to take legal action against you. A penalty notice can be issued under Section 444a and 444b of the Education Act 1996. This carries a fine of £60 if paid within 21 days or £120 if paid after this but within 28 days. Failure to pay the penalty will result in court action. Persistent absences, not authorised by the academy may result in a prosecution in the Magistrates' Court leading to fines of up to £2500 and/or custodial sentences.

Please refer to the academy's Attendance Policy which can be found on the academy website.

I would like to offer you the opportunity to contact the Student Services Team at Mounts Bay Academy if you would like advice or support in helping your child to attend school more regularly. Mounts Bay Academy is committed to maximising the education for all students and aims to work with parents and carers to ensure this can be achieved.

If you would like to discuss this further, please contact the school.

Yours Sincerely

Mr L Hall  
Principal