



Department  
for Education

# **Working together to improve school attendance**

**Guidance for maintained schools,  
academies, independent schools, and  
local authorities**

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# Summary

## About this guidance

1. This is guidance from the Department for Education (DfE). This guidance is non-statutory, and has been produced to help schools, trusts, governing bodies, and local authorities maintain high levels of school attendance. Following public consultation earlier this year, and subject to Parliament, the Secretary of State has committed to this guidance becoming statutory when parliamentary time allows (this will be no sooner than September 2023).
2. This guidance should be read alongside the statutory guidance documents on parental responsibility measures, children missing education, supporting pupils with medical conditions at school, suspensions and exclusions, alternative provision, and safeguarding.
3. For the purpose of this guidance, a parent means:
  - all natural parents, whether they are married or not;
  - any person who has parental responsibility for a child or young person; and,
  - any person who has care of a child or young person (i.e. lives with and looks after the child).

## Expiry or review date

4. From September 2022, this document replaces all previous guidance on school attendance for maintained schools, academies, independent schools, and local authorities with the exception of the existing statutory guidance on [parental responsibility measures](#).
5. This guidance will be updated and reissued ahead of academic year 2023-2024.

## Who is this publication for?

6. This guidance is for:
  - All school and academy trust staff, headteachers, governors, academy trustees, and alternative provision providers
  - Local authority attendance staff, early help lead practitioners, social workers, and virtual school heads
  - Statutory safeguarding (including police and integrated care boards) and other local partners
  - This guidance may also be useful for parents and carers

## **Section 1: The importance of school attendance**

7. Improving attendance is everyone's business. The barriers to accessing education are wide and complex, both within and beyond the school gates, and are often specific to individual pupils and families. The foundation of securing good attendance is that school is a calm, orderly, safe, and supportive environment where all pupils want to be and are keen and ready to learn.

8. Some pupils find it harder than others to attend school and therefore at all stages of improving attendance, schools and partners should work with pupils and parents to remove any barriers to attendance by building strong and trusting relationships and working together to put the right support in place. Securing good attendance cannot therefore be seen in isolation, and effective practices for improvement will involve close interaction with schools' efforts on curriculum, behaviour, bullying, special educational needs support, pastoral and mental health and wellbeing, and effective use of resources, including pupil premium. It cannot solely be the preserve of a single member of staff, or organisation, it must be a concerted effort across all teaching and non-teaching staff in school, the trust or governing body, the local authority, and other local partners.

### **The law on school attendance and right to a full-time education**

9. The law entitles every child of compulsory school age to an efficient, full-time education suitable to their age, aptitude, and any special educational need they may have. It is the legal responsibility of every parent to make sure their child receives that education either by attendance at a school or by education otherwise than at a school.

10. Where parents decide to have their child registered at school, they have an additional legal duty to ensure their child attends that school regularly. This means their child must attend every day that the school is open, except in a small number of allowable circumstances such as being too ill to attend or being given permission for an absence in advance from the school.

11. This is essential for pupils to get the most out of their school experience, including their attainment, wellbeing, and wider life chances. **The pupils with the highest attainment at the end of key stage 2 and key stage 4 have higher rates of attendance over the key stage compared to those with the lowest attainment.** At KS2, pupils not meeting the expected standard in reading, writing and maths had an overall absence rate of 4.7%, compared to 3.5% among those meeting the expected standard. Moreover, the overall absence rate of pupils not meeting the expected standard was higher than among those meeting the higher standard (4.7% compared to 2.7%). At KS4, pupils not achieving grade 9 to 4 in English and maths had an overall absence rate of 8.8%, compared to 5.2% among those achieving grade 4<sup>1</sup>. The overall absence rate of pupils not achieving grade 9 to 4 was over twice as high as those achieving grade 9 to 5 (8.8% compared to 3.7%).<sup>2</sup>

12. For the most vulnerable pupils, regular attendance is also an important protective factor and the best opportunity for needs to be identified and support provided. Research has shown associations between regular absence from school and a number of extra-familial harms. This includes crime (90% of young offenders had been persistently absent)<sup>3</sup> and serious violence (83% of knife possession offenders had been persistently absent in at least 1 of the 5 years of study)<sup>4</sup>.

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<sup>1</sup> <https://explore-education-statistics.service.gov.uk/find-statistics/the-link-between-absence-and-attainment-at-ks2-and-ks4/2018-19>

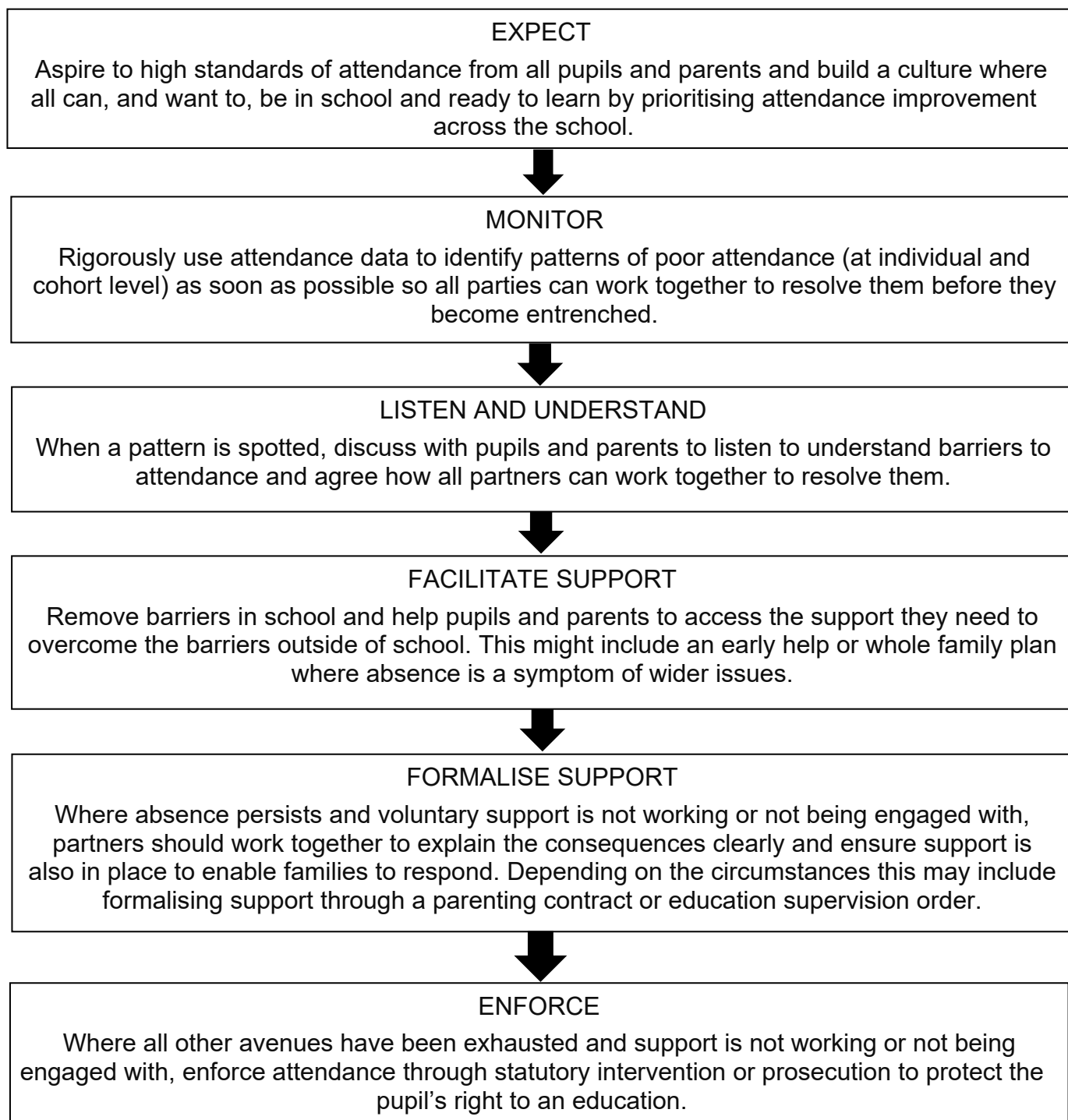
<sup>2</sup> <https://explore-education-statistics.service.gov.uk/find-statistics/the-link-between-absence-and-attainment-at-ks2-and-ks4/2018-19>

<sup>3</sup> <https://www.gov.uk/government/statistics/understanding-the-educational-background-of-young-offenders-summary-report>

<sup>4</sup> <https://www.gov.uk/government/statistics/knife-and-offensive-weapon-sentencing-january-to-march-2018>

## Working together to improve attendance

13. Successfully treating the root causes of absence and removing barriers to attendance, at home, in school or more broadly requires schools and local partners to work collaboratively with, not against families. All partners should work together to:





## Section 2: Expectations of schools

14. All schools have a continuing responsibility to proactively manage and improve attendance across their school community. As set out in [section 1](#), attendance is the essential foundation to positive outcomes for all pupils and should therefore be seen as everyone's responsibility in school.

15. The most effective schools consistently promote the benefits of good attendance at school, set high expectations for every pupil, communicate those expectations clearly and consistently to pupils and parents, systematically analyse their data to identify patterns to target their improvement efforts, and work effectively with the local authority and other local partners to overcome barriers to attendance. They also recognise that attendance cannot be seen in isolation and that the foundation to good attendance is a calm, orderly, safe and supportive environment in which all pupils want to attend and can learn and thrive. To manage and improve attendance effectively, all schools are expected to:

- Develop and maintain a whole school culture that promotes the benefits of high attendance.
- Have a clear school attendance policy which all staff, pupils and parents understand.
- Accurately complete admission and, with the exception of schools where all pupils are boarders, attendance registers and have effective day to day processes in place to follow-up absence.
- Regularly monitor and analyse attendance and absence data to identify pupils or cohorts that require support with their attendance and put effective strategies in place.
- Build strong relationships with families, listen to and understand barriers to attendance and work with families to remove them.
- Share information and work collaboratively with other schools in the area, local authorities, and other partners when absence is at risk of becoming persistent or severe.

### **Develop and maintain a whole school culture that promotes the benefits of high attendance**

16. Good attendance is a learned behaviour, and the most effective schools recognise the importance of developing good patterns of attendance from the outset. Schools that have good attendance recognise that it is not a discrete piece of work but rather it is an integral part of the school's ethos and culture. In building a culture of good school attendance, all schools are expected to:

- Recognise the importance of good attendance and, alongside good behaviour, make it a central part of the school's vision, values, ethos, and day to day life.
- Recognise the interplay between attendance and wider school improvement efforts, building it into strategies on attainment, behaviour, bullying, special educational needs support, supporting pupils with medical conditions or disabilities, safeguarding, wellbeing, and support for disadvantaged students (including use of pupil premium).
- Recognise improving attendance is a school leadership issue and have a designated senior leader with overall responsibility for championing and improving attendance in school. Responsibilities should include offering a clear vision for attendance improvement, evaluating and monitoring expectations and processes, oversight of data analysis, and communicating messages to pupils and parents.
- Make sure all teaching and non-teaching staff know the importance of good attendance, are consistent in their communication with pupils and parents, and receive the training and professional development they need.
- Make sure attendance support and improvement is appropriately resourced, including where applicable through effective use of pupil premium funding. Where possible this should include attendance or pastoral support staff (either school based or contracted) who can work with families, conduct home visits and work in partnership with school leaders, the local authority's School Attendance Support Team and other partners.
- Set high expectations for the attendance and punctuality of all pupils and communicate these regularly to pupils and parents through all available channels. In doing so, schools should help parents to understand what is expected of them and why attendance is important to their child's attainment, wellbeing, and wider development. It should also include clarity on the short and long term consequences of poor attendance.
- Visibly demonstrate the benefits of good attendance throughout school life. This may include in displays, assemblies or in registration periods. Where used sensitively and without discrimination, this may also include praising and rewarding improvements in attendance at year group, class/form and individual level.
- Recognise that attendance is never 'solved' and is a continuous process by regularly reviewing and updating messages, processes, and strategies.
- Recognise children missing education can act as a vital warning sign to a range of safeguarding issues including neglect, sexual abuse and child sexual and criminal exploitation.

## Have a clear school attendance policy which all leaders, staff, pupils, and parents understand

17. An effective whole school culture of high attendance is underpinned by clear expectations, procedures, and responsibilities. To ensure all leaders, staff, pupils, and parents understand these expectations, all schools are expected to have a clear, written school attendance policy based on the expectations set out in this guidance. As a minimum it should detail:

- The attendance and punctuality expectations of pupils and parents, including start and close of the day, register closing times and the processes for requesting leaves of absence and informing the school of the reason for an unexpected absence.
- The name and contact details of the senior leader responsible for the strategic approach to attendance in school.
- Information and contact details of the school staff who pupils and parents should contact about attendance on a day to day basis (such as a form tutor, attendance officer etc) and for more detailed support on attendance (such as a head of year, pastoral lead or family liaison officer etc).
- The school's day to day processes for managing attendance, for example first day calling and processes to follow up on unexplained absence.
- How the school is promoting and incentivising good attendance.
- The school's strategy for using data to target attendance improvement efforts to the pupils or pupil cohorts who need it most.
- The school's strategy for reducing persistent and severe absence, including how access to wider support services will be provided to remove the barriers to attendance and when support will be formalised in conjunction with the local authority.
- The point at which Fixed Penalty Notices for absence and other sanctions will be sought if support is not appropriate (e.g. for an unauthorised holiday in term time), not successful, or not engaged with.

18. Whilst every pupil has a right to a full-time education and high attendance expectations should be set for all pupils, the attendance policy should account for the specific needs of certain pupils and pupil cohorts. The policy should be applied fairly and consistently but in doing so schools should always consider the individual needs of pupils and their families who have specific barriers to attendance. In development and implementation of their policy, schools should consider their obligations under the Equality Act 2010 and the UN Convention on the Rights of the Child.

19. Schools where all or some of their pupils are boarders are expected to cover all of the above areas in their policies but will want to do so in a way that meets their specific needs.

20. The policy should be easily accessible to leaders, staff, pupils, and parents, including being published on the school's website. Parents should be sent it with any initial information when pupils join the school and reminded of it at the beginning of each school year and when it is updated.

21. As the barriers to attendance evolve quickly, the policy should be reviewed and updated as necessary. In doing so, schools should seek the views of pupils and parents.

## **Accurately complete admission and attendance registers and have effective day to day processes in place to follow-up absence**

22. The law requires all schools including independent schools to have an admission register and, except for schools where all pupils are boarders, an attendance register. All pupils (regardless of their age) must be placed on the admission register and have their attendance recorded in the attendance register. The proprietor of a school who fails to comply with these regulations is guilty of an offence and can be fined.

### **Admissions Register ('the school roll')**

23. The admission register (sometimes referred to as the school roll) must contain specific personal details of every pupil in the school along with the date of admission or re-admission to the school, information regarding parents and carers, and details of the school last attended.

24. A pupil's name can only lawfully be deleted from the admission register if a reason set out in regulation 8 of the Education (Pupil Registration) (England) Regulations 2006, as amended, applies.

Full details on the keeping of the admission register can be found in [section 7](#).

### **Attendance Register**

25. Schools must also take the attendance register at the start of each morning session of each school day and once during each afternoon session. On each occasion they must record whether every pupil is present, attending an approved educational activity, absent, or unable to attend due to exceptional circumstances.

Full details on the keeping of the attendance register can be found in [section 8](#).

## Retaining and amending registers

26. Effective and timely use and sharing of register data is critical to improve attendance. Schools are expected to use an electronic management information system to keep their attendance and admission registers to improve accuracy, speed up the process of sharing and analysing information, and make returns to local authorities and DfE easier.

27. Registers are legal records and all schools must preserve every entry in the attendance or admission register for 3 years from the date of entry. As the attendance register is a record of the pupils present at the time it was taken, the register should only routinely be amended where the reason for absence cannot be established at the time it is taken and it is subsequently necessary to correct the entry. Where amendments are made, all schools must ensure the register shows the original entry, the amended entry, the reason for the amendment, the date on which the amendment was made, and the name and title of the person who made the amendment.

## Granting leaves of absence

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

29. If a leave of absence is granted, it is for the headteacher to determine the length of the time the pupil can be away from school.

30. As head teachers should only grant leaves of absence in exceptional circumstances it is unlikely a leave of absence will be granted for the purposes of a family holiday.

## Day to day processes

31. Alongside accurate recording of attendance and absence, effective schools have robust day to day processes to track and follow up absence and poor punctuality which are rigorously applied across the school. All schools are expected to develop processes that meet the needs of their pupils and contexts. As a minimum this should include arrangements to:

- Proactively manage lateness and set out in their attendance policy the length of time the register will be open, after which a pupil will be marked as absent. This should be the same for every session, and depending on the structure of the school day, not longer than either 30 minutes after the session begins, or the length of the form time or first lesson in which registration takes place.

- Expect parents to contact the school when their child is absent to explain the reason and put in place processes to contact parents on the first day of absence where a reason has not been provided. If absence continues without explanation, further contact should be made to ensure safeguarding.
- Identify any absences that are not explained for each session and contact parents (and where appropriate foster carers and/or social workers) to understand why and when the pupil will return. Where absence is recorded as unexplained in the attendance register, the correct code should be inputted as soon as the reason is ascertained, but no later than 5 working days after the session.
- Where reasonably possible, schools should hold more than one emergency contact number for each pupil. This is good practice to give the school additional options to make contact with a responsible adult.
- Regularly inform parents about their child's attendance and absence levels. Schools should avoid headline percentages and instead make this understandable for parents (e.g. the amount of time missed and the impact on the pupil's learning).
- Hold regular meetings with the parents of pupils who the school (and/or local authority) consider to be vulnerable or are persistently or severely absent to discuss attendance and engagement at school.
- Identify pupils who need support from wider partners as quickly as possible and make the necessary referrals.
- Make the necessary statutory data returns to the local authority. (see paragraphs 45-50)
- Support pupils back into school following a lengthy or unavoidable period of absence and provide support to build confidence and bridge gaps.

## **Regularly analyse attendance and absence data to identify pupils or cohorts that require support with their attendance and put effective strategies in place**

32. As poor attendance is habitual, prevention and early intervention is crucial. The key to this is regular data analysis to both identify and provide immediate additional support to pupils or pupil cohorts that need it, and to look at historic and emerging patterns across the school and develop strategies to address them. To achieve this all schools are expected to:

- Monitor and analyse weekly attendance patterns and trends and deliver intervention and support in a targeted way to pupils and families. This should go beyond headline attendance percentages and should look at individual pupils, cohorts and groups (including their punctuality) across the school to help schools achieve their responsibilities under the Public Sector Equality Duty.
- When analysing patterns, some schools, especially secondary schools, may wish to look further into patterns of attendance within a session to ensure all pupils are attending all timetabled lessons.

- Use this analysis to provide regular attendance reports to class teachers or tutors to facilitate discussions with pupils and to leaders (including any special educational needs coordinators, designated safeguarding leads and pupil premium leads).
- Identify the pupils who need support and focus staff efforts on developing targeted actions for those cases (see paragraphs 34-39).
- Conduct thorough analysis of half-termly, termly, and full year data to identify patterns and trends. This should include analysis of pupils and cohorts and identifying patterns in uses of certain codes, days of poor attendance and where appropriate, subjects which have low lesson attendance.
- Benchmark their attendance data (at whole school, year group and cohort level) against local, regional, and national levels to identify areas of focus for improvement.
- Devise specific strategies to address areas of poor attendance identified through data. This may, for example, include pupils in a year group with higher than average absence or for pupils eligible for free school meals if their attendance falls behind that of their more advantaged peers.
- Monitor in the data the impact of school wide attendance efforts, including any specific strategies implemented. The findings should then be used to evaluate approaches or inform future strategies.
- Provide data and reports to support the work of the board or governing body, as set out in [section 3](#).

33. Schools should decide which cohorts of pupils should be included in their data analysis based on their context and school population. This may include: boys and girls, year groups, pupils with special educational needs or disabilities, pupils with a social worker or who are looked-after by the local authority, pupils eligible for free school meals, and any pupils from backgrounds (including ethnicities, religions or beliefs, or sexual orientations where applicable) in the school community that have, or have historically had, lower attendance than their peers.

## **Build strong relationships with families, listen to and understand barriers to attendance and work with families to remove them**

34. Schools should treat all pupils and parents with dignity and staff should model respectful relationships to build a positive relationship between home and school that can be the foundation of good attendance. In communicating with parents, schools should discuss the link between attendance and attainment and wider wellbeing, and challenge parents' views where they have misconceptions about what 'good' attendance looks like. Where a pupil or family needs support with attendance, it is important that the best placed person in the school works with and supports the family and wherever possible the person should be kept consistent.

35. Where a pattern of absence is at risk of becoming, or becomes, problematic schools should draw on these relationships and listen to and understand the barriers to attendance the pupil or family is experiencing. In doing so, schools should take into consideration the sensitivity of some of the reasons for absence and understand the importance of school as a place of safety and support rather than reaching immediately for punitive approaches.

36. In the first instance, all schools are expected to:

- Support pupils and parents by working together to address any in-school barriers to attendance.
- Where barriers are outside of the school's control, all partners should work together to support pupils and parents to access any support they may need voluntarily. As a minimum, this should include meeting with pupils and parents at risk of persistent or severe absence to understand barriers to being in school and agreeing actions or interventions to address them. This may include referrals to services and organisations that can provide support. These actions should be regularly discussed and reviewed together with pupils and families.

37. Where absence intensifies, so should the support provided, which will require the school to work in tandem with the local authority and other relevant partners:

- If the needs and barriers are individual to the pupil this may include provision of mentoring, careers advice, college placements, 1-2-1 tuition or out of hours learning, or where appropriate an education, health and care plan or alternative provision.
- Where the needs are wider and a whole family response is more appropriate, this is likely to include a voluntary early help assessment.
- Where engagement in support is proving challenging, schools should hold more formal conversations with the parents (and pupil where they are old enough to understand). This is likely to be led by the senior leader responsible for attendance and may include the school's point of contact in the local authority School Attendance Support Team. These meetings should clearly explain the consequences of persistent and severe absence to the pupil and family and the potential need for legal intervention in future, but should also be an opportunity to continue to listen to and understand the barriers to attendance and explain the help that is available to avoid those consequences.

38. Where voluntary support has not been effective and/or has not been engaged with all schools should work with the local authority to:

- Put formal support in place in the form of a parenting contract or an education supervision order.
- Issue a fixed penalty notice where support would not be appropriate or has not been successful or engaged with and it is likely to change the parents' behaviour.



- Intensify support through statutory children’s social care involvement where there are safeguarding concerns, especially where absence becomes severe (below 50% attendance).
- Prosecute parents where all other routes have failed or are not deemed appropriate. This could include making the case for a community or parenting order where the parent is convicted to secure engagement with support.

For further details, see [section 5](#).

39. In all cases, the school should monitor the impact of any intervention(s) and make adjustments where necessary in discussion with the pupil, parents and any other partners involved as part of any whole family plan or team around the family. Where interventions are failing, all parties should work together to identify the reasons why and either adjust or change the approach.

## **Pupils with medical conditions or special educational needs and disabilities**

40. Some pupils face greater barriers to attendance than their peers. These can include pupils who suffer from long term medical conditions or who have special educational needs and disabilities. Their right to an education is the same as any other pupil and therefore the attendance ambition for these pupils should be the same as they are for any other pupil. That said, in working with their parents to improve attendance, schools should be mindful of the barriers these pupils face and put additional support in place where necessary to help them access their full-time education. This should include:

- Having sensitive conversations and developing good support for pupils with physical or mental health conditions. For example, making reasonable adjustments where a pupil has a disability or putting in place an individual healthcare plan where needed. Considering whether additional support from external partners (including the local authority or health services) would be appropriate, making referrals in a timely manner and working together with those services to deliver any subsequent support.
- Working with parents to develop specific support approaches for attendance for pupils with special educational needs and disabilities, including where applicable ensuring the provision outlined in the pupil’s education, health and care plan is accessed. In addition, schools should work with families to help support routines where school transport is regularly being missed and work with other partners to encourage the scheduling of additional support interventions or medical appointments outside of the main school day. Please see further details on [SEN support](#).

- Establish strategies for removing the in-school barriers these pupils face, including considering support or reasonable adjustments for uniform, transport, routines, access to support in school and lunchtime arrangements.
- Ensure joined up pastoral care is in place where needed and consider whether a time-limited phased return to school would be appropriate, for example for those affected by anxiety about school attendance.
- Ensure data is regularly monitored for these groups including at board and governing body meetings and in Targeting Support Meetings with the local authority so that additional support from other partners is accessed where necessary.

41. Pupils with long term illnesses or other health needs may need additional support to continue their education, such as alternative provision provided by the local authority. Local authorities are responsible for arranging suitable education for children of compulsory school age who, because of health reasons, would otherwise not receive suitable education. Please see further information on [supporting pupils with medical conditions at school](#).

42. In all cases, schools should be sensitive and avoid stigmatising pupils and parents and they should talk to pupils and parents and understand how they feel and what they think would help improve their attendance to develop individual approaches that meet an individual pupil's specific needs.

## Part-time timetables

43. All pupils of compulsory school age are entitled to a full-time education. In very exceptional circumstances, where it is in a pupil's best interests, there may be a need for a temporary part-time timetable to meet their individual needs. For example, where a medical condition prevents a pupil from attending full-time education and a part-time timetable is considered as part of a re-integration package. A part-time timetable should not be used to manage a pupil's behaviour.

44. A part-time timetable must only be in place for the shortest time necessary and not be treated as a long-term solution. Any pastoral support programme or other agreement should have a time limit by which point the pupil is expected to attend full-time, either at school or alternative provision. There should also be formal arrangements in place for regularly reviewing it with the pupil and their parents. In agreeing to a part-time timetable, a school has agreed to a pupil being absent from school for part of the week or day and therefore must treat absence as authorised.

## Share information and work collaboratively with other schools in the area, local authorities and other partners when absence is at risk of becoming persistent or severe

45. All schools should work with the local communities (including voluntary and community groups) to help remove the barriers to attendance that families experience. In some cases, families will experience the same or similar barriers to attendance for multiple children who attend different schools in the area. As such, it is of mutual benefit for such schools to work together where possible. This will be particularly beneficial in supporting transition between feeder schools.

46. Schools of all types, local authorities and other local partners should work jointly and share data on individual cases where it is of benefit to the pupil (e.g. health services where there are medical conditions or the police where there are extra-familial harms). Local authorities and schools (of all types) are expected to have a regular Targeting Support Meetings at least termly. Further, to facilitate timely collaborative working across partners, all schools are also legally required to share information from their registers with the local authority. As a minimum this includes:

- Every time a pupil's name is to be added to, or deleted from, the school admission register outside of standard transition times (including the statutory reason for deletion). For deletions this must take place before the deletion, and for additions it must be no later than 5 working days after the addition.
- The name and address of any pupil who fails to attend school regularly or has missed school for 10 days or more without the absence being recorded as authorised. Local authorities should agree the frequency this must be shared with all schools in their area. This should be no less frequently than once per calendar month.

47. Local authorities may seek, and schools are expected to provide, more frequent or comprehensive sharing of data than the statutory minimum where it is essential to fulfilling their obligations under the Education Acts and the expectations set out in [Section 4](#) of this guidance. To avoid any unnecessary burdens for schools this should always be automatic from school registers and not require additional manual data collection/ returns (e.g. through a data aggregator directly from management information systems). This collaboration allows local authorities to facilitate quicker, more efficient joint working and better target their area wide attendance strategy.

48. Similarly, whilst the law provides access to registers of maintained schools for local authority officers who need access to fulfil their obligations under the Education Acts, all schools, regardless of whether or not they are covered by that legislation, are still expected to provide the local authority with access to support joint working between schools, trusts and local authorities.

49. The pandemic highlighted the importance of regular data sharing and therefore DfE has been working to establish a better, more timely flow of pupil level attendance data across schools, trusts, local authorities, and DfE, without placing any additional administrative burdens on schools. Most schools have already signed up, but once fully established, this will allow data to be collected directly from all schools' electronic registers. Collection happens via a secure data aggregator at no cost to schools and without requiring any manual inputting of information. Following a voluntary trial earlier this year, all schools are now strongly advised to sign up to this service which the Secretary of State intends to make a statutory requirement when parliamentary time allows.

50. Longer term DfE's intention is for this new method of data sharing to replace existing statutory data returns to local authorities and DfE, including the school census. This will reduce the burden on schools and improve our collective understanding of attendance patterns at local, regional, and national levels to identify issues and challenges more quickly.

## **Section 3: Expectations of academy trust boards and governing bodies of maintained schools**

51. Improving attendance requires constant focus, and effective whole school approaches require regular ongoing support, guidance, and challenge. We therefore expect all trusts and governing bodies to:

- Recognise the importance of school attendance and promote it across the school's ethos and policies.
- Ensure school leaders fulfil expectations and statutory duties.
- Regularly review attendance data, discuss, and challenge trends, and help school leaders focus improvement efforts on the individual pupils or cohorts who need it most.
- Ensure school staff receive adequate training on attendance.

52. Multi-academy trust boards and governing bodies of federations are also expected to:

- Share effective practice on attendance management and improvement across schools.

53. Whilst it is expected that all trusts and governing bodies will provide support covering these areas, the approach to delivering it should be proportionate to the size of the group of schools and type of school(s) within it.

### **Recognise the importance of school attendance and promote it across the school's ethos and policies**

54. Improving school attendance begins at board level, therefore all academy trust boards, and governing bodies of maintained schools should take an active role in attendance improvement, support their school(s) to prioritise attendance, and work together with school leaders to set whole school attendance cultures. This should include:

- Setting high expectations of all leaders, staff, pupils, and parents.
- Recognising that attendance improvement does not happen in isolation and therefore ensuring it is prioritised in wider improvement strategies, such as raising attainment, behaviour, special educational needs and disabilities, wellbeing, and safeguarding. This may include having a link governor or trustee that focusses on attendance.

- Ensuring the schools' attendance management processes are delivered effectively, and that consistent attendance support is provided for pupils who require it most by prioritising the staff and resources needed. This includes ensuring schools engage and work effectively with the local authority School Attendance Support Team and wider local partners and services.
- Ensuring high aspirations are maintained for all pupils, but that processes and support are adapted to the individual needs of particular pupils. This includes those with long term illnesses, special educational needs and disabilities, pupils with a social worker and pupils from cohorts with historically lower attendance such as those eligible for free school meals.
- Repeatedly evaluating the effectiveness of their school(s)' processes and improvement efforts to ensure they are meeting the needs of pupils as experiences and barriers to attendance evolve.

55. In addition, multi-academy trusts and federation governing bodies should identify and monitor attendance patterns across their schools to identify common issues and barriers and share effective practice between schools. For trusts whose schools are geographically concentrated, this may also include sharing of staff and other resources between schools in the area (especially where a member of staff is supporting pupils from the same family but at different schools run by the trust).

56. For larger trusts, this may include having a dedicated attendance lead and/or central attendance staff who can drive attendance improvement across the trust, work more intensively with the schools who require it, and act as a central contact point for schools with attendance queries. All trusts may also find it useful to liaise with DfE's regional teams for advice about wider support programmes.

## **Ensure school leaders fulfil expectations and statutory duties**

57. As the proprietor of a school, academy trusts and governing bodies of maintained schools are ultimately responsible for ensuring due regard to guidance and compliance with the law on school attendance. All trusts and governing bodies should therefore ensure their schools:

- Have an attendance policy which meets the expectations outlined in [section 1](#), and which is published and publicised regularly so that it is easily accessible to pupils, parents and staff. Some trusts and federations may wish to have one attendance policy which covers all their schools. Whilst this can be useful in sharing effective practice, the attendance policy should be tailored to the needs of each individual school and the barriers to attendance pupils experience as identified through analysis of school level attendance data.
- Record attendance accurately in the register (see [section 8](#)) and share the required information with DfE and local authorities.

- Work effectively with local partners to help remove the barriers to attendance that go beyond the school gates, including building strong links with local statutory services (including social care, health and police) and the voluntary and community sector.

## **Regularly reviewing attendance data, discussing and challenging trends, and helping school leaders focus improvement efforts on the individual pupils or cohorts who need it most**

58. All trusts and governing bodies should provide support and challenge to their schools around current trends on attendance in the school community, by:

- Regularly reviewing attendance data at board meetings. This should include thorough examination of recent and historic trends at a school level as well as benchmarking to comparator schools within the trust, local authority area, region and nationwide.
- Paying particular attention to attendance of pupil cohorts within their school(s) that have historically had poor attendance or that face entrenched barriers to attendance. This should be specific to the school's context, but may include pupils who have a social worker, are from a background or ethnicity where attendance has historically been low, have a long-term medical condition, special educational needs or a disability, or are eligible for free school meals.
- Working with school leaders to set goals or areas of focus for attendance and providing support and challenge around delivery against those focus areas.

59. In addition, for schools that are struggling with their attendance, academy trust boards and governing bodies of maintained schools should work with school leaders to develop a comprehensive attendance action plan to improve attendance. This should be evaluated and reviewed regularly. This may form part of a wider school improvement plan, including where appropriate school-to-school support from system leaders.

60. Multi-academy trusts and governing bodies of federations may also wish to hold termly attendance review meetings with each individual school and/or ask them to report on their attendance at defined intervals.

## **Ensure school staff receive adequate training on attendance**

61. Improving attendance requires knowledge of guidance and regulations but also expertise in working with families to remove barriers to attendance and safeguard pupils. Just as those barriers are regularly evolving, so too is the training that school staff require to address them. All trusts and governing bodies should therefore ensure that:

- Training on attendance is included in the school(s)' continued professional development offer for all staff, and that attendance is covered in any trust/federation wide induction packs. As a minimum this should include all staff understanding:
  - the importance of good attendance and that absence is almost always a symptom of wider circumstances,
  - the law and requirements of schools including on the keeping of registers,
  - the school/trusts' strategies and procedures for tracking, following up and improving attendance,
  - and the processes for working with other partners to provide more intensive support to pupils who need it.
  
- Dedicated attendance training is provided to any staff with a specified attendance function in their role, including administrative, pastoral or family support staff and senior leaders. In addition, this should include:
  - the necessary skills to interpret and analyse attendance data,
  - and any additional training that would be beneficial to support pupils and pupil cohorts overcome commonly seen barriers to attendance.

## **Share effective practice on attendance management and improvement across schools**

62. One of the most successful approaches to improving attendance is the sharing of effective practice between schools. Multi-academy trusts and federation governing bodies are, therefore, expected to provide regular opportunities to bring together staff from different schools to learn from each other's attendance expertise and share effective interventions.

63. This should be tailored to the needs of their schools and pupils but as a minimum could include, sharing exemplar resources and documents such as communications to pupils and parents, regular networking or Q&A sessions, and topical best practice training or webinars.

64. This is in addition to the expectation of local authorities to provide opportunities to schools of all types within a geographical area to come together to share effective practice (see [section 4](#)).



## Section 4: Expectations of local authorities

65. Schools and academy trusts have a crucial role in raising attendance for all their pupils. They also have a protective role in being best placed to spot early patterns of poor attendance for persistent absentees. Individual pupils' barriers to attendance, however, often go far beyond the school gates. Persistent absence is almost always a symptom of wider issues in a pupil's life, and barriers to attendance are often specific to local contexts.

66. The local authority, statutory safeguarding partners and other local partners therefore have a crucial role in supporting pupils to overcome those barriers and ensuring all children can access the full-time education to which they are entitled. Local authorities are facilitators of wider support needed by individual families and schools to overcome barriers in the short term. They are also strategic leaders that work across a geographical area to remove barriers in the longer term.

67. As local authorities vary significantly in size, organisational approach and demographics, it is right that the specifics of attendance service delivery and how those roles are discharged should be determined locally to meet local needs of pupils, parents, and schools. As a minimum, however, all local authorities are expected to:

- **Rigorously track local attendance data** to devise a strategic approach to attendance that prioritises the pupils, pupil cohorts and schools on which to provide support and focus its efforts on to unblock area wide barriers to attendance.
- Have a **School Attendance Support Team** which provides the following core functions free of charge to all schools (regardless of type):
  - **Communication and advice:** regularly bring schools together to communicate messages, provide advice and share best practice between schools and trusts within the area.
  - **Targeting Support Meetings:** hold termly conversations with schools, using their attendance data to identify pupils and cohorts at risk of poor attendance and agree targeted actions and access to services for those pupils.
  - **Multi-disciplinary support for families:** provide access to early help support workers to work intensively with families to provide practical whole-family support where needed to tackle the causes of absenteeism and unblock the barriers to attendance.
  - **Legal intervention:** take forward attendance legal intervention (using the full range of parental responsibility measures) where voluntary support has not been successful or engaged with.
- Monitor and improve the **attendance of children with a social worker** through their Virtual School.

68. Many local authorities will need time to transition to meet these expectations, including those that need to revise or bring to an end models of trading or service level agreements. Therefore, whilst local authorities should meet these expectations as far as possible for academic year 2022-2023, the School Attendance Support Team should be available to all schools free of charge (and free from any service level agreement) by no later than September 2023.

## **Rigorously track local attendance data to devise a strategic approach to attendance that prioritises the pupils, pupil cohorts and schools on which to provide support to and focus its efforts on to unblock area wide barriers to attendance**

69. Both addressing and ultimately removing the wider barriers to attendance requires a strategic approach across local authority services. As such, all local authorities are expected to have a clear strategic approach to their efforts on school attendance that:

- Recognises the importance of good attendance across the council's areas of responsibility, including how attendance improvement is everyone's business and should be reflected and understood across wider services where appropriate.
- Makes attendance a key feature of all frontline council services, but especially access to education services, early help, statutory social care, and the Virtual School.
- Uses attendance data from all schools in the area to identify the pupil cohorts, schools, and neighbourhoods/ towns on which to focus efforts. This should include benchmarking against neighbouring local authorities (both geographic and statistical) and regional and national averages to identify patterns and trends of concern.
- Uses that analysis to set a clear vision for improving attendance across the geographical area, underpinned by tangible short and longer term aims and priorities for improving attendance for particular cohorts of pupils identified. This should also include detail on how they will be achieved and by when.
- Is understood by all frontline operational staff in attendance and associated teams (as a minimum this should include social workers, early help keyworkers, and youth justice teams) as well as local partners (both statutory and voluntary including police and integrated care boards). This should include an understanding of which people and teams are responsible for each element of attendance delivery and how teams and professionals will work together.
- Is resourced appropriately to develop and maintain the proposed approach.
- Is regularly evaluated, discussed, and reviewed, involving both senior officers and lead members. This should also include input from service users, schools and partners where appropriate.

- Provides statutory/voluntary sector partners and schools (including trusts, governing bodies, and school leaders) with an opportunity to shape the aims and priorities for improvement.

## School Attendance Support Team

70. All local authorities are expected to have a School Attendance Support Team that works with all schools in its area (regardless of type). There is no requirement for a specific service delivery model or name, but each local authority is expected to provide the 4 core functions outlined below free of charge to all schools. These core functions should not, therefore, be traded or require service level agreements from schools. This does not mean local authorities cannot trade other elements of attendance management and improvement to schools and trusts, for example delivery of school level responsibilities (as set out in [section 1](#)) or training for attendance staff.

71. The core functions to be provided to all schools are:

## Communication and advice

72. Good communication and sharing of effective practice are essential to good multi-agency working. Local authorities are therefore expected to:

- Circulate clear guidance on how schools, the School Attendance Support Team and other partners should work together to provide intensive voluntary and/or formal support for individual pupils and families. This should include clarity around what support schools should already have offered and the point at which the local authority will become involved in individual cases and how the local authority and school will share responsibility in line with the summary of responsibilities table.
- Provide each school with a named point of contact in the School Attendance Support Team who can support with queries and advice, and with whom Targeting Support Meetings will be held.
- Maintain relationships with school leaders and offer opportunities for all schools (regardless of type) to regularly come together to share effective attendance practice. This is not intended to be resource intensive and can happen in person or online (including through newsletters, webinars, or virtual drop-in sessions). The frequency should be determined by local demand but should not normally be less than termly. It may be useful to include representatives of other partners and services in these briefings or sessions such as health, youth justice and children's services.
- Show leadership and work together with all schools to tackle common issues across the geographical area. This may include agreeing common practices to issues such as term time holidays or follow up for persistent lateness so that families receive the same approach if they have children at several schools.

## Targeting Support Meetings

73. As patterns of attendance are habitual, early identification and support is essential for individual pupils in need of help. Where barriers go beyond the classroom, this requires schools, local authorities, and other partners to work together to put joint support in place as quickly as possible. To enable this to happen, all local authorities are expected to:

- Organise termly Targeting Support Meetings with each school in their area so the school's attendance leads and their point of contact in the local authority's School Attendance Support Team can identify, discuss, and agree joint targeted actions for pupils who are persistently or severely absent and those at risk of becoming so. This should include agreeing what support the LA will provide and which (if any) other statutory or voluntary services should become involved.
- Use these meetings to build strong relationships and work collaboratively with the school's attendance leads, including providing advice on recording in the register, accessing services or the wider area-wide attendance approach.

74. The meeting may also include helping a school to identify areas to focus on in their school policies or approaches where they seek it. This may include help with analysing their own data, comparing themselves to other schools in the geographical area or considering how they may learn from or work with other schools who have faced similar patterns or trends.

75. In areas where scheduled 'Team Around the School' meetings already take place between the school, local authority, and other partners, the school's point of contact in the local authority's School Attendance Support Team may join the existing meeting instead of having a separate Targeting Support Meeting for that school.

## Multi-disciplinary support for families

76. Where barriers to attendance for a pupil or family are complex and signposting to services is not sufficient, schools, local authorities, and other services should work together to provide more intensive whole family support to address them as soon as it becomes clear they would benefit from it. Schools and local authorities are also specifically expected to have agreed a joint approach for all severely absent pupils.

77. Multi-disciplinary support should build on the existing early help offer in local authorities rather than requiring additional resource. In line with early help principles, the family should receive a single assessment, plan, and where necessary, a single lead practitioner. This should be from the team or service best placed to support the family and their needs, which may be the school, a local authority team or service or another statutory partner such as a health professional. For example, in the case of a pupil experiencing barriers to attendance because of a housing issue, the lead practitioner may more sensibly be the family's housing officer.

78. Rather than holding significant numbers of cases, the School Attendance Support Team should support and advise the family's lead practitioner on any attendance related elements of the plan, be part of the team around the family if necessary, and step in to lead any formal support or legal intervention when required. This could include acting as the responsible officer if support is formalised in a parenting contract, education supervision order or parenting order (see [section 5](#)). A member of the team may, however, act as lead practitioner if they are the most appropriate person.

79. To facilitate effective multi-disciplinary support for families, the School Attendance Support Team is also expected to:

- Provide schools with information on how to raise concerns and make referrals to early help (and other services) outside of their Targeting Support Meetings so families receive the support they require as quickly as possible.
- Build strong relationships with a range of services and partners that can help with specific barriers to attendance and how to access them. This is likely to include health, youth justice, voluntary and community sector, early help, children's social care, local safeguarding partnerships, special educational needs, educational psychologists, and housing support. The team should meet regularly with leads from these services and ensure they know what their role is in attendance support, why it is important and how they fit into the local authority's wider strategy on attendance. They should also help coordinate strategies and messages on attendance in other partners to improve consistency of approach.
- Build effective data sharing opportunities with different partners as part of the overall data sharing/ governance arrangements in the local partnership to ensure a joined-up approach. Where this is not possible, the team should facilitate opportunities for professionals to come together to coordinate support (such as via case conferencing).
- Work closely with local mental health services, school level senior mental health leads (including school based Mental Health Support Teams where in place), the local School Nursing Service and the local authority's special educational needs and disability team(s) to ensure joined up support for families facing health or disability related barriers to attendance.

80. Effective multi-agency working on attendance within the local authority and wider partnership requires several key principles to be in place to be effective. These are:

- A collaborative culture across early help services that puts the needs of the pupil and wider family at the core of its action (not the service delivery).
- Combined staff training and development across early help services, so all staff understand the importance of absence as a symptom of wider need and the benefits of improving attendance to effective outcomes for the whole family.
- Common systems and processes across all local authority family facing teams, including single assessment, planning and case management.

- Setting clear 'success measures' as part of individual and family plans and jointly owning these across all services working with the family.
- An integrated management structure between the local authority's School Attendance Support team and other early help services.
- Where families have multiple needs, aligning of the routes to support to ensure that they receive a holistic, co-ordinated package of support in order to increase the chance of successful outcomes.

## Legal intervention

81. Where all voluntary support options are unsuccessful or are not appropriate (e.g. an unauthorised holiday in term time), the local authority's school Attendance Support Team should liaise with school and the early help lead practitioner or social worker (where applicable) to take forward attendance legal intervention in line with [section 5](#) to formalise support and/or enforce attendance. All local authorities are therefore expected to:

- Understand and make use of formal support options including parenting contracts and education supervision orders and use them fairly and consistently.
- Set out clearly for pupils, parents, and schools when and how attendance legal intervention will be used where voluntary support is not appropriate, or where absence was not for legitimate reasons and support has not been engaged with and/or been successful.
- Secure effective joint working between the School Attendance Support Team and statutory children's social care services to work together where there are safeguarding concerns or absence becomes severe. This should include building attendance expectations into children in need and child protection plans where appropriate or considering developing a plan as an intensification of support where formalised attendance support (such as an education supervision order) is no longer sufficient or has not been effective.
- Issue fixed penalty notices in line with local codes of conduct where absence was unauthorised and support has been provided but has not worked or been engaged with, or would not have been appropriate in the circumstances of the offence (e.g. an unauthorised holiday in term time).
- Take forward attendance prosecution as a last resort where all other routes have been exhausted or deemed inappropriate.

## Monitor and improve the attendance of children with a social worker through their Virtual School Head

82. In addition to the benefits for all pupils, good attendance at school also provides an additional safeguard for vulnerable pupils. Absence for pupils with a social worker, however, has been historically higher, with a quarter of children who have ever needed a social worker persistently absent compared to less than 10% of those who had never been in need<sup>5</sup>.

83. It is therefore important that we redouble efforts to improve attendance for this group and build on the progress made by Virtual School Heads since the expansion of the programme to provide strategic oversight of the education of pupils with a social worker. As such, local authorities are expected to make use of their Virtual Schools to:

- Regularly monitor the attendance of children with a social worker in their area, including those looked-after by the local authority.
- Set aspirational targets for attendance of pupils with a social worker in the area, and put in place personal education plans for pupils looked-after.
- Provide training for designated teachers about their role in promoting the attendance of children who have ever needed a social worker.
- Secure regular attendance of looked-after children as their corporate parent and provide advice and guidance about the importance of attendance to those services supporting pupils previously looked after.
- Work across children's social care services to make sure all social workers recognise the importance of good school attendance, and that attendance is built into every child in need or child protection plan where attendance is a concern.

84. To facilitate effective working across the local authority, schools are expected to inform a pupil's social worker if there are unexplained absences from school. Children missing education officers or a school's point of contact in the School Attendance Support Team should also inform a pupil's social worker if their name is to be deleted from the school register.

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<sup>5</sup> <https://www.gov.uk/government/publications/children-in-need-of-help-and-protection-data-and-analysis>

## Section 5: Persistent and severe absence

85. Where absence escalates and pupils miss 10% or more of school (equivalent to 1 day or more a fortnight across a full school year), schools and local authorities are expected to work together to put additional targeted support in place to remove any barriers to attendance and reengage these pupils. In doing so, schools should sensitively consider some of the reasons for absence and understand the importance of school as a place of safety and support for children who might be facing difficulties, rather than reaching immediately for punitive approaches.

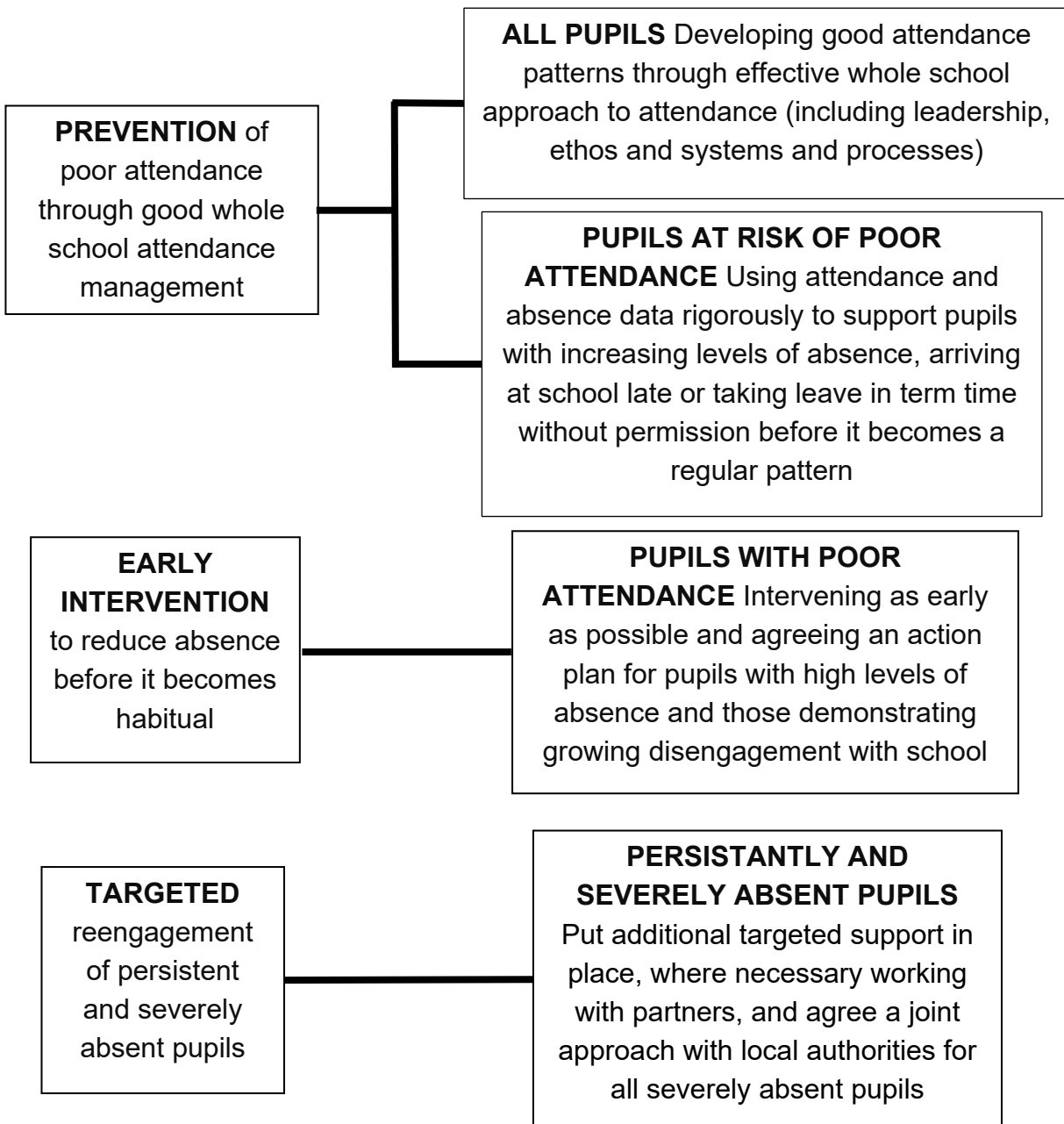
86. Particular focus should be given by all partners to pupils who are absent from school more than they are present (those missing 50% or more of school). These severely absent pupils may find it more difficult to be in school or face bigger barriers to their regular attendance and as such are likely to need more intensive support across a range of partners. A concerted effort is therefore needed across all relevant services to prioritise them. All partners should work together to make this group the top priority for support – this may include specific support with attendance or a whole family plan, but it may also include consideration for an education, health and care plan or an alternative form of educational provision where necessary to overcome the barriers to being in school.

87. If all avenues of support have been facilitated by schools, local authorities, and other partners, and the appropriate educational support or placements (e.g. an education, health and care plan) have been provided but severe absence for unauthorised reasons continues, it is likely to constitute neglect. Schools and local authorities should be especially conscious of any potential safeguarding issues in these cases and where these remain, conduct a full children's social care assessment. Further information is available in the statutory guidance on [Keeping Children Safe in Education](#).

88. In all cases, schools and local authorities are expected to make patterns of both persistent and severe absence a focus of their regular data monitoring and identify pupils and cohorts who need targeted attendance support as quickly as possible. Both persistent and severe absence should also be central to school, trust, and local authority level strategies for improving attendance.

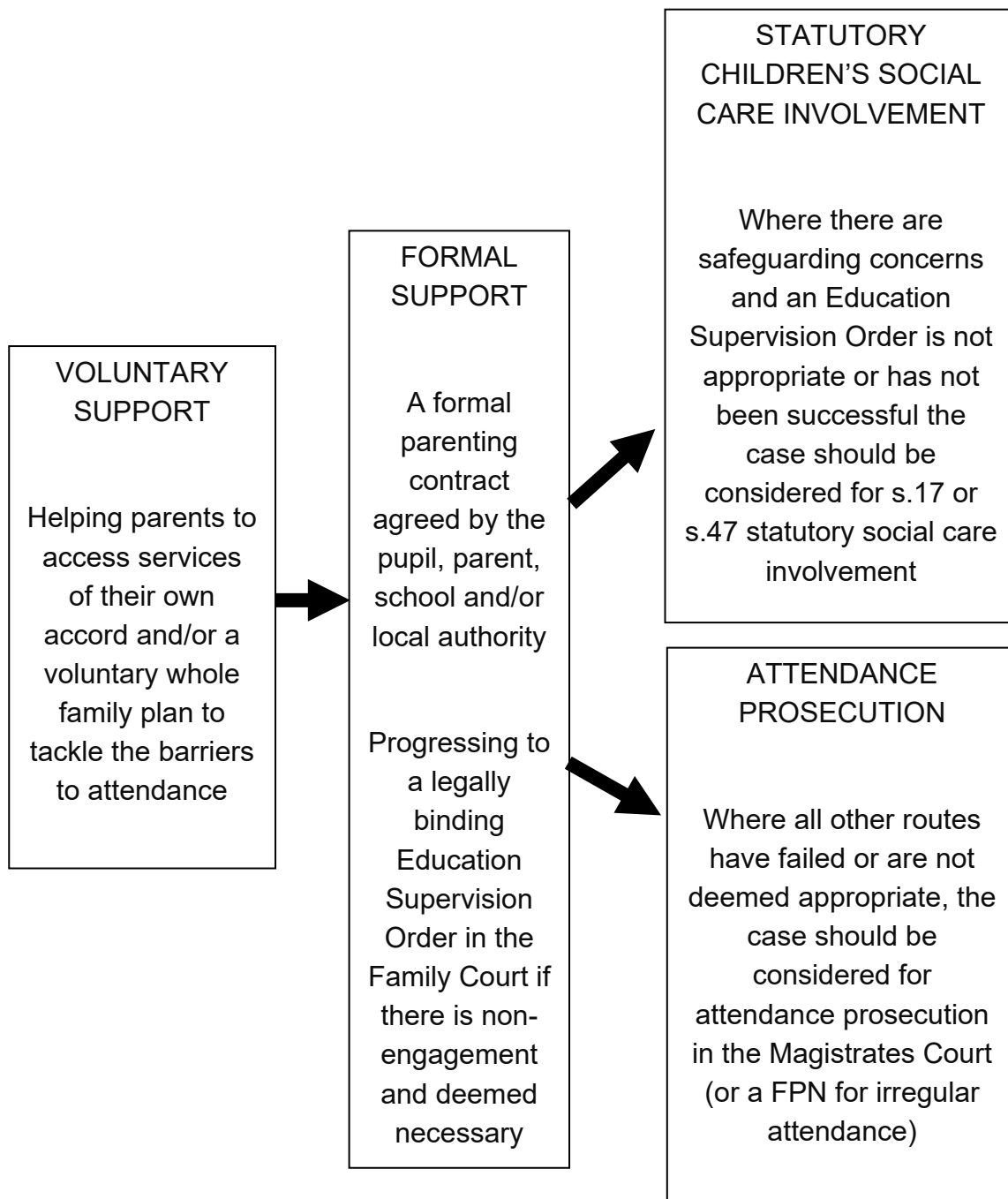


**Effective school attendance improvement and management**



## Section 6: Attendance legal intervention

89. As absence is so often a symptom of wider issues a family is facing, schools, trusts and local authorities should always work together with other local partners to understand the barriers to attendance and provide support. Where that is not successful, or is not engaged with, the law protects pupils' right to an education and provides a range of legal interventions to formalise attendance improvement efforts, and where all other avenues have been exhausted, enforce it through prosecuting parents. Attendance legal intervention can only be used for pupils of compulsory school age and decisions should be made on an individual case by case basis.



90. Schools, trusts and local authorities are expected to work together and make use of the full range of legal interventions rather than relying solely on fixed penalty notices or prosecution. It is for individual schools and local authorities to decide whether to use them in an individual case after considering the individual circumstances of a family.

These are:

- [Parenting contracts](#)
- [Education supervision orders](#)
- [Attendance prosecution](#)
- [Parenting orders](#)
- [Fixed penalty notices](#)

91. Where they are used, it should be clear that it will change parental behaviour and in making the decision to use an intervention, headteachers and local authority officers should have regard to their safeguarding duties as set out in the statutory guidance on [Keeping Children Safe in Education](#).

92. Schools and local authorities should decide which parent(s) to involve in attendance legal intervention, but generally this should be all parents who have day to day responsibility for the child.

93. Where a pupil attends school in one local authority area and lives in another, the local authority for the area where the child attends school should normally take the lead in any action to improve attendance. All local authorities should make arrangements for coordination on such cases with neighbouring authorities. This should include a discussion with the Virtual School Head for the local authority in which the pupil lives if they are looked-after or they have a social worker.

## Parenting Contracts

### Purpose of parenting contracts and when they may be appropriate

94. A parenting contract is a formal written agreement between a parent and either the school (with the exception of independent schools and non-maintained special schools) or local authority to address irregular attendance at school or alternative provision. A contract is not legally binding but allows a more formal route to secure engagement with support where a voluntary early help plan has not worked or is not deemed appropriate. A parenting contract is not a punitive tool it is intended to provide support and offer an alternative to prosecution. Parents cannot be compelled to enter a contract, and they cannot be agreed in a parent's absence.

95. There is no obligation on the school or local authority to offer a contract, and it may not be appropriate in every instance, but a contract should always be explored before moving forward to an education supervision order or prosecution.

96. The aim from the outset should be for the parent(s), and the pupil where they are old enough, the school and the local authority to work in partnership. Where a school and/or local authority decide to use a parenting contract, a meeting should be arranged with the parent(s). It should include the pupil if they are old enough to understand. The meeting should explain the purpose of a parenting contract and why using one would be beneficial in the family's circumstances. The parent(s) should be asked to outline their views on the pupil's attendance at school, any underlying issues and how they believe these should be addressed. The meeting should also allow them to share their views on the idea of a parenting contract and what type of support they think would be helpful to secure the pupil's regular attendance. Where a parent fails to attend the meeting without good reason or notification, further attempts should be made to contact them and arrange another meeting but all attempts at support should be recorded.

97. One parenting contract may be arranged with all parents, or in circumstances where it is desirable to have different requirements for each parent then separate parenting contracts for each parent should be arranged.

## **Contents of a parenting contract**

98. All parenting contracts should contain:

- Details of the requirements the parent(s) is expected to comply with.
- A statement from the school and/or local authority agreeing to provide support to the parent(s) to meet the requirements and setting out details of the support.
- A statement by the parent that they agree to comply with the requirements for the period of time specified by the contract.

99. The requirements specified, and the support provided, will depend on the individual case, and should be tailored to the needs of the individual parent and family. There is not, therefore, a prescribed list, but requirements may include:

- Measures to ensure the pupil attends school or alternative provision punctually and regularly
- Requiring the parent to attend meetings with the school and/or local authority
- Accessing or partaking in the support or programmes offered
- Working with or accessing other separate support provided to the pupil at school level (e.g. being on report)

100. The support provided to help the parent satisfy those requirements may include:

- Provision of a lead practitioner to support the family
- Signposting or referrals to wider local authority or health services that might support the family (e.g. housing needs, drug and alcohol support)
- Signposting or referrals to voluntary and community sector programmes or support (e.g. foodbanks or community support groups)
- Formal interventions such as family group conferencing, peer mentoring or literacy classes
- Support and advisory services (e.g. benefit support)
- Formal parenting programmes (e.g. a course with a specified number of sessions)

101. Parenting contracts do not have a minimum or maximum duration. Each individual contract should set out the duration it will be in place, and most are for between 3 and 12 months but can be longer if needed.

102. Once the requirements and support elements of the contract have been agreed, the school and/or local authority and the parent should write up the contract together and sign it. The contract should be written in language that the parent can easily understand (including a translation where necessary). All parties, including other partners working with the family, should be given a copy.

## **Non-compliance with a parenting contract**

103. The school and/or local authority should work with the parent to gain their cooperation and compliance throughout the parenting contract process.

104. Where a parent does not comply with the requirements set out in the contract, the lead practitioner should contact the parent and seek an explanation and decide whether it is reasonable, and the contract remains useful. If the explanation shows that the contract is proving difficult to comply with through no fault of the parent, then a meeting should be arranged with the parent to review and amend it. Where no explanation is given, or the lead practitioner is not satisfied with the explanation, they should serve the parent with a warning to explain that the contract is not working and may be terminated, and another course of action pursued, if the parent does not engage. This may be in the form of a letter, and record of it should be kept.

105. If there are further instances of non-compliance, they should arrange a meeting with the parent to review the contract and discuss how it can be made to work. Following this meeting, the school and/or local authority should decide whether the non-compliance is undermining the contract to the extent that it is no longer useful in which case an alternative course of action (such as a different legal intervention) would need to be decided upon. The decision and reasons should be recorded.

106. Failure by the parent, school, or local authority to keep to the terms of the parenting contract cannot lead to action for breach of contract or for civil damages. There is no criminal sanction for a parent's failure to comply with, or refusal to sign, a parenting contract. If the pupil's irregular attendance continues or escalates to the point where prosecution is deemed appropriate, however, any failure or refusal may be presented as evidence in the case. It is therefore important that any non-compliance with the contract is recorded so that it can be presented in court if necessary.

## **Education Supervision Orders**

### **Purpose of ESOs and when they may be appropriate**

107. Where a voluntary early help plan, or formal parenting contract has not been successful, an Education Supervision Order (ESO) can be a useful alternative to provide formal legal intervention without criminal prosecution. In deciding whether to progress to an ESO, the school and local authority should have exhausted voluntary support and be clear that making the order would be beneficial for the pupil and parent. Where safeguarding concerns exist, the lead practitioner should also discuss with the school's designated safeguarding lead and children's social care services and agree an ESO would be a more suitable option than a s.17 (Children in Need) or s.47 (Child Protection) plan. In all cases, local authorities must fully consider using an ESO before moving forward to prosecution.

108. ESOs are made through the Family or High Court, rather than Magistrates Court. They give the local authority a formal role in advising, helping and directing the pupil and parent(s) to ensure the pupil receives an efficient, full-time, suitable education. For the duration of the ESO, the parent's duties to secure the child's education and regular attendance are superseded by a duty to comply with any directions given by the local authority under the ESO.

109. The order initially lasts for one year, but extensions can be secured within the last 3 months for a period of up to 3 years at a time.

### **Contents of an ESO**

110. If it is decided to progress with an ESO, the local authority should notify parents in writing of the intention to consider an ESO and set up a meeting to discuss with the parent (including the pupil if they are old enough to understand). Following the conversation, the local authority should make its decision and inform the parent and pupil of whether the case will be taken forward to court or not. Where the decision is to proceed, this can be combined with the service of an application notice.

111. Once an ESO is secured, an officer of the local authority should be chosen to act as the supervisor of the order on the authority's behalf; this does not need to be an attendance officer, rather it should be whichever lead practitioner is working with the family (including their social worker where appropriate). Schools should, however, work in partnership with the local authority and whilst the designated supervisor (the local authority) retains overall responsibility, schools can and should provide support and supervision where appropriate.

112. The supervisor must determine any directions (requirements the parent must adhere to) to give whilst the order is in force. There is not a prescribed list, but they may include:

- Requiring the parent(s) to attend support meetings
- Requiring the parent(s) to attend a parenting programme or counselling
- Requiring the parent(s) to access support services
- Requiring an assessment by an educational psychologist

113. Review meetings involving all parties (including the school) should be held every 3 months throughout the period the ESO is in force. At these meetings any actions and directions should be discussed and added or amended.

## **Non-compliance with an ESO**

114. Where parents persistently fail to comply with the directions given under the ESO, they may be guilty of an offence. Local authorities can prosecute in the Magistrates Court for persistent non-compliance with the Order and parents (upon conviction) will be liable to a fine of up to £1,000.

115. The lead officer should also raise persistent failure to comply with children's social care services and work together to investigate the circumstances of the pupil and decide whether it is appropriate for any further action to be taken (including statutory social care involvement) to secure their welfare.

## **Attendance Prosecution**

### **Purpose of prosecution and when it may be appropriate**

116. If a child of compulsory school age fails to attend regularly at a school at which they are registered, or at a place where alternative provision is provided for them, their parents may be guilty of an offence and can be prosecuted by the local authority.

117. Prosecution in the Magistrates Court is the last resort where all other voluntary and formal support or legal intervention has failed or where support has been deemed inappropriate in the circumstances of the individual case. Where it is decided to pursue prosecution, only local authorities can prosecute parents and they must fund all associated costs, including in the preparation of court documentation.

118. Local authorities have the power to prosecute:

- Parents who fail to comply with a school attendance order issued by the local authority to require a parent to get their child registered at a named school (under section 443 of the Education Act 1996). This may result in a fine of up to level 3 (£1,000).
- Parents who fail to secure their child's regular attendance at a school, for which there are 2 separate offences: section 444(1) where a parent fails to secure the child's regular attendance; and section 444(1A) where a parent knows that the child is failing to attend school regularly and fails to ensure the child does so. The section 444(1) offence may result in a fine of up to level 3 (£1,000) and the section 444(1A) offence may result in a fine of up to level 4 (£2,500), and/or a community order or imprisonment of up to 3 months.
- Parents who fail to secure the regular attendance of their child at a place where the local authority or governing body has arranged alternative provision (under sections 444 and 444ZA). This may result in a fine of up to level 3 (£1,000), or if the parent is found to have known the child was not attending regularly and failed to ensure that they did so, a fine of up to level 4 (£2,500), and/or a community order or imprisonment of up to 3 months.
- Parents who persistently fail to comply with directions under an Education Supervision Order (under Schedule 3 to the Children Act 1989) or breach a Parenting Order or directions under the order (under section 375 of the Sentencing Act 2020). These may result in a fine of up to level 3 (£1,000).

119. The decision to prosecute rests solely with the LA as an independent prosecuting authority, but in deciding whether to prosecute the local authority may wish to consider:

- The level of engagement from the parent and whether prosecution is the only avenue left to demonstrate the severity of the issue to the parent and/or cause parental engagement with the support they require.
- Whether all other legal interventions have been considered and are not appropriate or have been tried and have not worked.
- Whether statutory children's social care intervention would be more appropriate in the case (including a Child in Need or Child Protection Plan), especially where absence is severe.
- The parent(s)' response to formal warning(s) and/or evidence given in the interview under caution – including any statutory exemptions to prosecution that might apply (see below).



- The Attorney General's guidelines for public prosecutors, including public interest tests and equalities considerations.

120. The 1996 Act also sets out the circumstances in which a pupil has not failed to attend school regularly and therefore the parent has not committed an offence under section 444(1) or (1A) of the Act (the statutory defences). These are:

- The parent proves the pupil was prevented from attending by their ill health or any unavoidable cause, including exclusion.
- The pupil has been granted leave of absence by the school or, in the case of alternative provision, by a person authorised to do so.
- The absence was on a day set aside for religious observance by the religious body to which the pupil's parent(s) belong.
- The parent proves the local authority were under a duty to provide transport to the school and have failed to do so.
- If the school is an independent school, the parent proves that the school is not in walking distance of the pupil's home and the local authority have not made suitable arrangements for the child to either board at the school or be admitted to a state-funded school closer to home.
- If the absence was from certain types of alternative provision, the parent proves the child is receiving education otherwise than by regular attendance.
- If the absence was from alternative provision, the parent had not been notified about the provision in writing before the absence.
- If the child has no fixed abode and the parent can prove that their trade / business requires them to travel, and the child has attended school as regularly as the nature of the trade or business permits, and (if the child is 6 or over) the child has attended school for at least 200 sessions during the preceding 12 months up to and including the date on which the proceedings were instituted.

## **Investigations and Court presentation**

121. Any prosecution case must be laid before the Court within 6 months of the alleged offence. Parents should be prosecuted by the local authority for the area where the pupil attends school or that has made the alternative provision and the case should be heard in the Magistrates Court for the same area. In taking forward a prosecution and preparing for Court, local authorities should consider the Attorney General's Guidelines for Crown Prosecutors in all cases. Local authorities must also conduct all investigations in accordance with the Police and Criminal Evidence (PACE) Act 1984. This includes fully considering public interest tests and duties under the Equality Act 2010.

122. Before beginning any legal proceedings, the parent should be given a formal written notification, explaining the process and potential consequences. This should be followed by application to the Magistrates Court for a hearing date and a summons to be issued. The local authority should then serve the summons on the parent, either in person or by first class post. Alongside the summons, the parent should receive a copy of the witness statement taken at the interview under caution.

123. In presenting the case in Court, the local authority should set out clearly and concisely the facts of the case, including the offers of support that have been made and why they failed. This includes why an ESO has not worked or has not been sought prior to prosecution. Effective Court presentations will also demonstrate the impact of the absence on the pupil and the family (including commentary on the harm and culpability) to support the Court in reaching its decision.

124. If the parent is found guilty, in reaching their sentence the Magistrates will consider all the relevant information presented to the Court and therefore where the local authority believes a community order or parenting order would be beneficial, they should make a case to the Court. Depending on the circumstances of the individual case, such an order may change parental behaviour more successfully than a fine by requiring the parent to engage in specific activities (such as accessing support services), a parenting programme, or improving family routine through a curfew or exclusion from a place or residence.

125. Local authorities are encouraged to build close relationships with local Courts to ensure there is mutual understanding of powers and procedures. The Single Justice Procedure should be used for the section 444(1) offence to allow face-to-face Court time to be prioritised for the higher section 444(1A) offence.

## **Parenting Orders**

### **Purpose of parenting orders and when they may be appropriate**

126. Parenting orders are an ancillary order that can be imposed by the Court following conviction for non-attendance alongside a fine and/or community order. Parents' agreement is not required before an order is made. They may be appropriate where the parent has not engaged in support to improve their child's attendance and where compulsion to do so would help change parental behaviour.

## Contents of a parenting order

127. The order requires a parent to comply with the arrangements specified in the order by the Court which can include a requirement for parents to attend counselling or guidance sessions (e.g. parenting education or parenting support classes) where they will receive help and support to enable them to improve their child's attendance for up to 3 months.

128. All parenting orders must specify a 'responsible officer' which will be named on the order. This should be the most appropriate lead practitioner working with the family.

## Non-compliance with a parenting order

129. Any breach of the order could lead to a fine of up to level 3 (£1,000).

## Fixed Penalty Notices

### Purpose of fixed penalty notices and when they may be appropriate

130. Fixed penalty notices are served on parents as an alternative to prosecution where they have failed to ensure that their child of compulsory school age regularly attends the school where they are registered or at a place where alternative provision is provided. Fixed penalty notices can be used by all schools (with the exception of independent schools) where the pupil's absence has not been authorised by the school and the absence constitutes an offence. Fixed penalty notices can be issued to each parent liable for the attendance offence or offences, which should usually be the parent or parents with day to day responsibility for the pupil's attendance.

131. Fixed penalty notices are intended to prevent the need for court action and should only be used where a fixed penalty notice is deemed likely to change parental behaviour and support to secure regular attendance has been provided and has not worked or been engaged with, or would not have been appropriate in the circumstances of the offence (e.g. an unauthorised holiday in term time).

132. Fixed penalty notices must be issued in line with the Education (Penalty Notices) (England) Regulations 2007 and can only be issued by a headteacher or someone authorised by them (a deputy or assistant head), a local authority officer or the police. All schools and the police must send copies of fixed penalty notices issued to the local authority.

133. Fixed penalty notices may also be issued where parents allow their child to be present in a public place during school hours without reasonable justification during the first 5 days of a fixed period or permanent exclusion. The parents must have been notified by the school at the time of the exclusion the days that the child must not be present in a public place.

## **Code of conduct for issuing fixed penalty notices**

134. Every local authority must draw up and is expected to publish on their website a Code of Conduct for issuing fixed penalty notices which must be adhered to by all schools, the police and any local authority officer issuing a penalty notice. In producing or amending the Code of Conduct the local authority consult with schools and the police.

135. To further underpin the principle of support first and improve the consistency of approach for pupils and parents across the country, subject to Parliament, the Secretary of State intends to introduce a national framework to replace individual codes of conduct ahead of the 2023-24 academic year. Until then, each local authority's Code must continue to set out the situations where a fixed penalty notice is appropriate. These should include: a number of unauthorised absences, one off instances of irregular attendance (such as holidays taken during term time without the school's permission) and where an excluded child is found in a public place during school hours without a justifiable reason. The code must also specify the maximum number of penalty notices that may be issued to an individual parent in any 12 month period.

## **Payment of penalties**

136. The penalty is £60 if paid within 21 days of receipt, rising to £120 if paid after 21 days but within 28 days. The payment must be paid direct to the local authority regardless of who issued the penalty notice.

137. If the penalty is not paid by the end of the 28 day period, the local authority must decide either to prosecute for the original offence to which the notice applies, or withdraw the notice. Parent(s) can only be prosecuted if 28 days have expired, and full payment has not been made.

138. There is no right of appeal by parents against a fixed penalty notice.

139. Monies collected through fixed penalty notices can only be used for the administration of the fixed penalty notice system or for prosecuting for the original offence in cases of non-payment. Any surplus at the end of the year must be returned to the Secretary of State.

## Section 7: Contents of the admissions register ('the school roll')

140. The school admission register, sometimes known as the 'the school roll', must be kept in accordance with [regulation 5](#) of the Education (Pupil Registration) (England) Regulations 2006 as amended.

141. The names of all pupils (both compulsory and non-compulsory school age) must be entered on the admission register.

142. The definition of a pupil is set out in [section 3](#) of the Education Act 1996 – but includes anyone who is receiving an education at the school except a person who is 19 or over for whom further education is being provided, or a person for whom part-time education suitable for people over compulsory school age is being provided.

### Expected First Day of Attendance

143. Schools must enter pupils on the admission register at the beginning of the first day on which the school has agreed with, or been notified by the parent, that the pupil will attend the school.

144. In the normal admissions round, when parents have accepted the school place offered, the local authority can inform schools on behalf of the parent and notify the school when the parent has agreed that the pupil will attend the school. This can also be the case where the local authority co-ordinate in-year applications for school places.

145. If a pupil fails to attend school on the agreed starting day, the school must follow this up and try to establish the reason for absence.

146. In accordance with regulation [12\(3\), \(4\) and \(5\)](#) of the Education (Pupil Registration) (England) Regulations 2006 as amended, a school must notify the local authority within 5 days of adding a pupil's name to the admission register and must provide the local authority with all the information held within the admission register about the pupil. This does not apply to pupils who are added to the admission register at the start of the school's youngest year (for example, pupils who are registered at secondary school at the start of Year 7) unless the local authority requests such information.

## Pupil Information

147. Schools must record personal details of every pupil at the school in the admission register. The register must include the following information for every pupil:

- full name;
- sex;
- the full name and address of each of the pupil's parents;
- which of the pupil's parents the pupil normally lives with and at least one telephone number by which each parent who the pupil normally lives with can be contacted in an emergency. DfE's advice is that where reasonably practicable, schools should hold an emergency contact number for more than one person for each pupil;
- day, month and year of birth;
- day, month and year of admission or re-admission to the school;
- name and address of the school last attended, if any.

148. Where the school has boarding pupils, the admission register must state whether each pupil of compulsory school age is a boarder or a day pupil.

## Pupils with a new address and/or school

149. Where a parent of a pupil informs the school that the pupil will live at another address, whether in addition to or instead of the address at which the pupil currently lives, the school must ensure that the admission register contains:

- the full name of the parent the pupil will normally live with;
- the address; and
- the date when the pupil will start normally living there.

150. Where a parent of a pupil informs the school that the pupil is registered at another school or will be attending a different school, the school must ensure that the admission register contains:

- the name of the other school;
- the date when the pupil began or will begin attending that school.

## Maintaining the Admission Register

151. It is vital that the admission register is kept up to date. Schools should encourage parents to inform them of any changes whenever they occur and ensure the admission register is amended as soon as possible.

## Deletion of names from Admission Register

152. A pupil's name can only be deleted from the admission register for a reason set out in regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 as amended. A pupil's name must not be removed for any other reason and doing so would constitute off-rolling.

153. In accordance with [regulation 12\(6\)](#) of the Education (Pupil Registration) (England) Regulations 2006 as amended, a school must notify the local authority when a pupil's name is to be deleted from the admission register under any of the reasons set out in regulation 8, as soon as the pupil's name is to be deleted. This does not apply where the pupil's name is deleted after they have completed the school's final year (for example, pupils who leave primary school at the end of Year 6), unless the local authority requests such information.

154. Where a school notifies the local authority that a pupil's name is to be deleted from the admission register, as set out [in regulation 12\(7\)](#), the school must provide the local authority with the following information:

- the full name of the pupil;
- the full name and address of any parent the pupil normally lives with;
- at least one emergency telephone number of any parent the pupil normally lives with;
- if applicable, the full name and address of the parent who the pupil is going to live with, and the date the pupil will start living there;
- if applicable, the name of the pupil's other school and when the pupil began or will begin to attend the school;
- the reason set out in [regulation 8](#) under which the pupil's name is to be deleted from the admission register.

## Deleting the name of a pupil of compulsory school age

155. The only reasons where a pupil's name shall be deleted are:

**Ground A - a pupil has a School Attendance Order which has been changed to name another school or revoked - [regulation 8\(1\)\(a\)](#)**

156. Where the pupil is registered at the school as a result of a school attendance order, but another school has now been named on that order or the order is revoked because arrangements have been made for the child to receive suitable full-time education for their age, ability and aptitude somewhere other than at a school.

157. Where a school attendance order remains in force, the pupil's name must not be deleted for other reasons until the order is revoked or the name of the school amended. This includes a request to electively home educate. If a parent has had their child registered at the school to comply with an order but the pupil does not attend, the school should discuss the case with the local authority and where appropriate take steps to secure the regular attendance of the child as they would with any other case of non-attendance.

### **Ground B - a pupil has been registered at another school - regulation [8\(1\)\(b\)](#)**

158. Where a pupil has been registered at another school, unless:

- a school attendance order naming the school is in force in relation to the pupil;
- the pupil is a child of no fixed abode and the school is their main school (see further details below); or
- the school has agreed that the pupil should be a registered pupil at more than one school.

### **Transfer between schools**

159. Where a pupil is transferring to another school, the original school must delete a pupil's name from the admission register on the first day they are entered on the admission register of the new school. The new school must enter the pupil's name on the admission register on the first day that it has agreed the pupil will attend the school. For example, if a pupil is due to leave school A on 28 March and start at school B on 29 March they would be added to the admission register of School B and deleted from that of School A on 29 March.

#### **School A will:**

- record the pupil's attendance and absence up to and including the 28 March;
- delete the pupil's name from the admission register on 29 March;
- transfer the appropriate pupil information via the [S2S system](#).

#### **School B will:**

- enter the pupil's name on the admission register on 29 March;
- record the pupil's attendance and absence from 29 March;
- follow up any unexpected absence on or after the 29 March; and
- request the transfer of the pupil information.

160. There are a small number of exceptions, these are:



## School Attendance Order (SAO)

161. If a school attendance order is in place for the pupil, and the name of the school has been replaced by the relevant local authority with that of another school, their name can be deleted from the admission register under the reason for deletion at ground A ([regulation 8\(1\)\(a\)](#)) but not under ground B.

## Child of no fixed abode

162. Where a child of compulsory school age has no fixed abode because their parent's trade or business requires that parent to travel from place to place, they can temporarily attend another school without the need for the main school to remove their name (see [regulation 9](#)).

163. 'Main school' in this context means the school that, during the last 18 months, the child has attended during periods when their parent was not travelling in the course of their trade or business, or, if there is more than one school, the school that most recently fulfils those criteria ([regulation 9](#)).

## Dual registration

164. In circumstances, where it has been agreed that the pupil will be registered at more than one school, the pupil's name will remain on the admission register. The main examples of dual registration are pupils who are attending another school on a temporary basis, such as a pupil referral unit, a hospital school or a special school.

## Ground C - pupil is also registered at one or more other schools and the other schools have agreed the deletion - [regulation 8\(1\)\(c\)](#)

165. Where a pupil is registered at one or more other schools, and:

- the pupil has ceased to attend the school;
- each school where the pupil is registered has given consent to the deletion; and
- none of the following apply:
  - the pupil is a child of no fixed abode, and the school is their main school; or
  - the pupil has died (in this case the pupil's name is deleted under [regulation 8\(1\)\(j\)](#)); or
  - the pupil has been permanently excluded from the school (in this case the pupil's name is deleted under [regulation 8\(1\)\(m\)](#)).

## Ground D - the parent of a pupil has notified the school in writing that a pupil is receiving education otherwise than at a school - [regulation 8\(1\)\(d\)](#)

166. Where a pupil has ceased to attend the school and the pupil's parent has informed the school in writing that the pupil is receiving education otherwise than at a school, unless a school attendance order naming the school is in force in relation to the pupil.

## School Attendance Order (SAO)

167. If a SAO has been revoked because arrangements have been made for the child to receive suitable full-time education for their age, ability and aptitude somewhere other than at a school, the pupil's name can be deleted from the admission register under the reason for deletion at [regulation 8\(1\)\(a\)](#).

### Ground E - a pupil no longer lives a reasonable distance from the school - regulation [8\(1\)\(e\)](#)

168. Where a pupil has ceased to attend the school and no longer normally lives a reasonable distance from the school, and the pupil is not a boarder at the school.

169. In circumstances where parents are withdrawing their child but are unable to say how their child will continue with their education, for example, the family are relocating but have not been able to secure a place at a new school in advance, once the pupil has completed their final day at school and moved out of the area, the school must delete the pupil's name from the admission register and the pupil's information should then be transferred to the Lost Pupil Database via the [S2S system](#).

### Ground F - a pupil has not returned following a leave of absence - regulation [8\(1\)\(f\)](#)

170. Where a pupil has been granted a leave of absence (under [regulation 7](#)) and the pupil has not attended school within the ten school days immediately after the end of the period granted, and:

- the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or an unavoidable cause; and
- the school and the local authority have jointly made reasonable efforts to find out the pupil's location, but they have not succeeded.

171. DfE's guidance on [Children Missing Education](#) sets out the expectations for schools and local authorities in respect of making reasonable enquiries.

### Ground G - a pupil is unlikely to return to school before ceasing to be of compulsory school age due to health reasons - regulation [8\(1\)\(g\)](#)

172. Where a pupil is certified, by the school medical officer, as unlikely to be in a fit state of health to attend school before ceasing to be of compulsory school age, and neither the pupil nor their parent has indicated to the school of any intention to continue attending the school after the pupil ceases to be of compulsory school age.

## School medical officer

173. Regulations do not define who the school medical officer is. DfE would expect the school medical officer to be a person who is suitably qualified to make a professional medical judgement about whether a pupil is likely to be in a fit state of health to attend the school before ceasing to be of compulsory school age.

**Ground H - a pupil has been continually absent from school for 20 school days - regulation [8\(1\)\(h\)](#)**

174. Where a pupil has been continuously absent from the school for a period of 20 school days or more and:

- at no point has the absence been authorised by the school (under regulation 6(2));
- the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or an unavoidable cause; and
- the school and the local authority have jointly made reasonable efforts to find out the pupil's location, but they have not succeeded.

175. DfE's guidance on [Children Missing Education](#) sets out the expectations for schools and local authorities in respect of making reasonable enquiries.

**Ground I - a pupil is in custody and detained for a period of more than 4 months - regulation [8\(1\)\(i\)](#)**

176. Where a pupil is detained in pursuance of a final order made by a court or of an order of recall made by the Secretary of State, and:

- that order is for a period of more than 4 months; and
- the school does not have reasonable grounds to believe the pupil will return to the school at the end of that period.

**Ground J - a pupil has died - regulation [8\(1\)\(j\)](#)**

177. Where a pupil has died.

178. A pupil's name should only be deleted from the admission register when the school is informed of the death. This would normally come from the pupil's parent but it is possible that notification comes from another source, such as relatives or the police.

179. Once the school receives the information it should immediately delete the pupil's name to prevent inadvertent and unnecessary contact with the family about the child.

**Ground K - pupil will cease to be of compulsory school age and will not continue into the sixth form - regulation [8\(1\)\(k\)](#)**

180. Where a pupil will no longer be of compulsory school age by the next time the school meets, and:

- the pupil's parent has indicated that the pupil will no longer attend the school; or
- the pupil does not meet the academic entry requirements for admission to the school's sixth form.

## **Compulsory school age**

181. A pupil ceases to be of compulsory school age on the last Friday in June of the school year in which they reach the age of 16.

### **Ground L - a pupil has ceased to be a pupil at an independent school or non-maintained special school - regulation [8\(1\)\(l\)](#)**

182. Where a pupil has ceased to be a pupil and the school is not maintained by a local authority, an academy, a city technology college or a city college for the technology of the arts.

### **Ground M - a pupil has been permanently excluded from the school - regulation [8\(1\)\(m\)](#)**

183. Where a pupil has been permanently excluded from the school.

184. A pupil's name cannot be deleted from the admission register until the outcome of any consideration of reinstatement and independent review (in the case of a maintained school, pupil referral unit, or academy) or appeal (in the case of a city technology college or city college for the technology of the arts) is known.

### **Ground N - a pupil has not continued at the school following completion of nursery - regulation [8\(1\)\(n\)](#)**

185. Where a pupil has been admitted to the school to receive nursery education and on completing such education has not transferred to reception or a more senior class at the school.

### **Ground O - a pupil is a boarder at a maintained school or academy and their boarding fees have not been paid - regulation [8\(1\)\(o\)](#)**

186. Where a pupil is a boarder at the school and:

- the school is maintained by a local authority or is an academy; and
- charges for the pupil's board and lodgings are payable by the pupil's parent; and
- those charges remain unpaid by the pupil's parent at the end of the school term to which they relate.

## **Deleting the name of a pupil of compulsory school age from a special school**

### **[Regulation 8\(2\)](#)**

187. Where a pupil is registered at a special school under arrangements made by a local authority, the pupil's name cannot be deleted without the consent of the local authority or, if the local authority refuses to give consent, without a direction from the Secretary of State, unless:

- the pupil is registered at the school as a result of a school attendance order, but school has now been named on that order or the order is revoked because arrangements have been made for the child to receive suitable full-time education for their age, ability and aptitude somewhere other than at a school, and the pupil's name is deleted under [regulation 8\(1\)\(a\)](#); or
- the pupil has died, and the pupil's name is deleted under [regulation 8\(1\)\(j\)](#); or
- the pupil has been permanently excluded from the school, and the pupil's name is deleted under [regulation 8\(1\)\(m\)](#).

## Deleting the name of a pupil not of compulsory school age

188. The only reasons where the name of a pupil not of compulsory school age shall be deleted are:

### Ground A - a pupil has ceased to attend or ceased to be a pupil at the school - [regulation 8\(3\)\(a\)](#)

189. Where a pupil has ceased to attend the school, or, in the case of a boarder, that the pupil has ceased to be a pupil at the school.

### Ground B - a pupil has been continually absent from school for 20 school days - [regulation 8\(3\)\(b\)](#)

190. Where a pupil has been continuously absent from the school for a period of 20 school days or more and:

- at no point has the absence been agreed by the school;
- the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or an unavoidable cause; and
- the school has made reasonable efforts to find out the pupil's location, but they have not succeeded.

### Ground C - a pupil has died - [regulation 8\(3\)\(c\)](#)

191. Where a pupil has died.

192. A pupil's name should only be deleted from the admission register when the school is informed of the death. This would normally come from the pupil's parent but it is possible that notification comes from another source, such as relatives or the police.

193. Once the school receives the information it should immediately delete the pupil's name to prevent inadvertent and unnecessary contact with the family about the child.

**Ground D - a pupil has not continued at the school following completion of nursery - regulation [8\(3\)\(d\)](#)**

194. Where a pupil has been admitted to the school to receive nursery education and on completing such education has not transferred to a reception or more senior class at the school.

**Ground E - a pupil has been permanently excluded from the school - regulation [8\(3\)\(e\)](#)**

195. Where a pupil has been permanently excluded from the school.

196. A pupil's name cannot be deleted from the admission register until the outcome of any consideration of reinstatement and independent review (in the case of a maintained school, pupil referral unit, or academy) or appeal (in the case of a city technology college or city college for the technology of the arts) is known.

## Section 8: Contents of the attendance register

197. All schools, except those where all the pupils are boarders, must keep an attendance register in accordance with [regulation 6](#) of the Education (Pupil Registration) (England) Regulations 2006 as amended.

198. Schools must take the attendance register at the beginning of each morning session and once during each afternoon session. On each occasion they must record whether every pupil (with the exception of a pupil who is a boarder) is:

- Present;
- Absent;
- Attending an approved educational activity as defined in regulation 6(4); or
- Unable to attend school due to exceptional circumstances as defined in regulation 6(5).

199. Schools must record whether the absence of a pupil of compulsory school age is authorised or not. There is no requirement for schools to record whether the absence of pupils not of compulsory school age is authorised or not, but where possible schools should use the national attendance and absence codes to help them monitor their attendance and to form good attendance habits.

200. Schools must record the nature of the activity where a pupil of compulsory school age is attending an approved educational activity.

201. Schools must also record the nature of the circumstances where a pupil is unable to attend due to exceptional circumstances.

202. Schools cannot delete a pupil's name from the attendance register unless they have a reason (as set out in regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 as amended) to delete the pupil's name from the admission register; the pupil's name must be deleted from both registers at the same time.

## Attendance and Absence Codes

203. The national codes enable schools to record and monitor attendance and absence in a consistent way and are used to collect statistics through the School Census system. The data helps schools, local authorities and the government to gain a greater understanding of the level of, and the reason for, absence and the delivery of education.

## Present

Relevant regulation: [6\(1\)\(a\)\(i\)](#)

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

204. Pupils must not be recorded as present if they are not in school during registration. If a pupil were to leave the school premises after registration, they will still be counted as present for statistical purposes.

### Code L: Late arrival before the register is closed

205. Schools should actively discourage late arrival and be alert to patterns of late arrival. All schools are expected to set out in their attendance policy the length of time the register will be open, after which a pupil will be marked as absent. This should be the same for every session and depending on the structure of the school day not longer than either 30 minutes after the session begins, or the length of the form time or first lesson in which registration takes place. A pupil arriving after the register has closed should be recorded as absent using code U, or another absence code that it is more appropriate.

## Absent

### Authorised Absence from School

Relevant regulation: [6\(1\)\(ii\)](#), [6\(1\)\(b\)](#), [6\(2\)](#), [7\(1\)](#) and [7\(2\)](#)

206. Authorised absence means that one of a specific set of circumstances applies, as set out below:

### Code C: Leave of absence granted by the school

207. Only exceptional circumstances warrant granting a leave of absence. Wherever referred to in this guidance a leave of absence should not be, and from certain types of school<sup>6</sup> must not be, granted unless it has been applied for in advance by the parent who the pupil normally lives with and the headteacher believes the circumstances to be exceptional. Schools must consider each application for a leave of absence individually taking into account the specific facts and circumstances and relevant background context behind each request. Where a leave of absence is granted, the school will determine the number of days a pupil can be absent from school. A leave of absence is granted entirely at the headteacher's discretion.

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<sup>6</sup> Schools maintained by the local authority or special schools not maintained by the local authority.



208. Specific leaves of absence may also be granted where:

### **A pupil is participating in a performance**

209. A school maintained by a local authority or a special school not maintained by a local authority can grant leave of absence for a pupil to undertake employment during school hours for the purpose of taking part in a performance, within the meaning of section 37 of the Children and Young Persons Act 1963 if the local authority have given the pupil a licence for that performance.

210. Legislation sets out that a local authority licence must be obtained before a child can take part in a performance. There are some exemptions, including the granting of Body of Persons Approval (BOPA). BOPAs can be issued by the local authority where a performance is to take place, or by the Secretary of State (generally only if there are to be many children involved and a number of different locations, but legislation does not limit this to those situations).

211. Schools should be sympathetic to requests for leave of absence that are supported by a licence or a BOPA; as long as the school remains satisfied that this will not have a negative effect on a pupil's education. Where the licence specifies the dates that a pupil is to be away from school to perform, the school should record the absence for those days as if a leave of absence had been applied for and granted. However, where the terms of the licence or BOPA do not specify dates, it is at the discretion of the headteacher to grant leave of absence.

### **A pupil is subject to a temporary part-time timetable**

212. All pupils of compulsory school age are entitled to a full-time education. In very exceptional circumstances, where it is in a pupil's best interests, there may be a need for a temporary part-time timetable to meet their individual needs. For example, where a medical condition prevents a pupil from attending full-time education and a part-time timetable is considered as part of a re-integration package. A part-time timetable should not be used to manage a pupil's behaviour.

213. A part-time timetable must only be in place for the shortest time necessary and not be treated as a long-term solution. Any pastoral support programme or other agreement should have a time limit by which point the pupil is expected to attend full-time, either at school or alternative provision. There should also be formal arrangements in place for regularly reviewing it with the pupil and their parents. In agreeing to a part-time timetable, a school has agreed to a pupil being absent from school for part of the week or day and therefore must treat absence as authorised.

## **A pupil is pregnant**

214. Leave for maternity is treated like any other leave of absence. We would expect schools to act reasonably and grant a sufficient period of leave from school, taking into consideration the specific circumstances of each case. Ultimately it is at the headteacher's discretion how much leave to grant.

## **Code H: leave of absence for the purpose of a family holiday granted by the school**

215. Parents should plan their holidays around school breaks and avoid seeking permission from schools to take their children out of school during term time unless it is absolutely unavoidable.

216. An application for leave of absence should (and from certain schools must) not be granted unless it is made in advance by a parent the pupil normally lives with and the school is satisfied that there are exceptional circumstances based on the individual facts and circumstance of the case which justify the leave. Where a leave of absence is granted, the school will determine the number of days a pupil can be absent from school. A leave of absence is granted entirely at the headteacher's discretion.

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

217. If no alternative provision is made for a pupil to continue their education whilst they are suspended from school or excluded from school, but their name is still entered in the admission register.

218. When a pupil of compulsory school age is suspended or permanently excluded from a maintained school, pupil referral unit, academy, city technology college, or city college for the technology of the arts, alternative provision must be arranged from the sixth consecutive day of any suspension or exclusion. Where alternative provision is made schools should record this using the appropriate code for attending an approved educational activity.

## **Code I: Illness (not medical or dental appointment)**

219. Schools should advise parents to notify them on the first day the child is unable to attend due to illness. Schools must record absences as authorised where pupils cannot attend due to illness (both physical and mental health related).

220. In the majority of cases a parent's notification that their child is ill can be accepted without question or concern. Schools should not routinely request that parents provide medical evidence to support illness. Schools are advised not to request medical evidence unnecessarily as it places additional pressure on health professionals, their staff and their appointments system particularly if the illness is one that does not require treatment by a health professional. Only where the school has a genuine and reasonable doubt about the authenticity of the illness should medical evidence be requested to support the absence.

221. Pupils with long term illness or other health needs may need additional support to continue education, such as alternative provision arranged by the local authority. Local authorities are responsible for arranging suitable education for children of compulsory school age who, because of health reasons, would otherwise not receive suitable education. This applies whether or not the child is registered at a school and whatever type of school they attend. The education must be full-time or as close to full-time as the child's health allows. DfE's [statutory guidance on ensuring a good education for children who cannot attend school because of health needs](#) sets out that local authorities should provide education as soon as it is clear that the child will be away from school for 15 days or more, whether consecutive or cumulative. Local authorities should have a named officer responsible for the education of children with additional health needs.

### **Code M: Medical or dental appointment**

222. Schools should encourage parents to make appointments out of school hours. Where this is not possible, they should get the school's agreement in advance and the pupil should only be out of school for the minimum amount of time necessary for the appointment.

223. If a pupil is present at registration but has a medical appointment during the session in question, no absence needs be recorded for that session.

### **Code R: Religious observance**

224. Schools must record absence as authorised when it falls on a day that is exclusively set apart for religious observance by the parents' religious body (not the parents).

225. As a general rule, we would interpret 'a day exclusively set apart for religious observance' as a day when the pupil's parents would be expected by the religious body to which they belong to stay away from their employment in order to mark the occasion. If in doubt, schools should seek advice from the parent's religious body about whether it has set the day apart for religious observance.

226. If a religious body sets apart a single day for a religious observance and the parent applies for more than one day, the school may only record one day as authorised on this basis; the rest of the request would be a leave of absence, and this is granted at the school's discretion as set out under Code C.

227. Schools and local authorities may seek to minimise the adverse effects of religious observance on a pupil's attendance and attainment by considering approaches such as:

- Setting term dates around days for religious observance;
- Working with local faith groups to develop guidance on absence for religious observance;

- Schools taking INSET days that coincide with religious observance days; and
- Providing individual support for pupils who miss sessions on days exclusively set apart for religious observance.

### **Code S: Study leave**

228. Study leave should not be granted by default once tuition of the exam syllabus is complete, it should be used sparingly and only granted to Year 11 pupils during public examinations. If schools do decide to grant study leave, provision must still be made available for those pupils who want to continue to come into school to revise.

229. As study leave is unsupervised it must be recorded as absence.

### **Code T: Traveller absence**

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

231. This code should not be used for general absences by those groups. It must only be used when the pupil's parent(s) is travelling for occupational purposes and the school has granted a leave of absence following a request from the parent. This code should not be used to record any other types of absence by these groups.

232. Pupils from these groups whose parent(s) do not travel for occupational purposes are expected to attend school as normal. They are subject to the same rules as other pupils in terms of the requirements to attend school regularly once registered at a school.

233. Where a pupil has no fixed abode because their parent(s) is engaged in a business or trade that requires them to travel, there is an expectation that the pupil attends at least 200 sessions per year. The pupil must attend school as regularly as the business permits and therefore, if the business or trade permits the pupil to attend for more than 200 sessions per year, they should do so.

234. To help ensure continuity of education for pupils, when their parent(s) is travelling for occupational purposes, it is expected that the pupil should attend school elsewhere when their parent(s) is travelling and be dual registered at that school and their main school.

### **Unauthorised Absence from School**

*Relevant regulation: [6\(1\)\(ii\)](#) and [6\(3\)](#)*

235. Unauthorised absence is where a pupil's absence is not one of the types of absence listed as authorised in regulation 6(2) or where the reason for a pupil's absence has not been provided and cannot be established.

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

236. Where the school has not granted a leave of absence for the purpose of a holiday but the parents still take the child out of school, or the child is kept away longer than the period of leave granted.

237. A school cannot grant a leave of absence retrospectively. If the parent did not apply in advance, leave of absence should not (and from certain types of school cannot) be granted.

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

238. Schools must follow up all unexplained and unexpected absence in a timely manner.

239. Every effort should be made to establish the reason for a pupil's absence. When the reason for absence has been established the school should record the pupil's absence using the relevant code.

240. Where absence is recorded as unexplained in the attendance register, the correct code should be inputted as soon as the reason is ascertained, but no more than 5 working days after the session. Code N should not therefore be left on the pupil's attendance record indefinitely; if a reason for absence cannot be established after 5 working days, schools should amend the pupil's record to Code O.

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

241. Where no reason for absence is established or the school is not satisfied that the reason given is an authorised absence.

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

242. Where a pupil has arrived late after the register has closed and the school is not satisfied that the reason for lateness is an authorised absence.

243. Schools should actively discourage late arrival, be alert to patterns of late arrival and seek an explanation from the parent. All schools are expected to set out in their attendance policy the length of time the register will be open, after which a pupil will be marked as absent. This should be the same for every session and depending on the structure of the school day not longer than either 30 minutes after the session begins, or the length of the form time or first lesson in which registration takes place.

## Attending an approved educational activity

*Relevant regulation: [6\(1\)\(a\)\(iii\)](#), [6\(1\)\(c\)](#), and [6\(4\)](#)*

244. An approved educational activity is where a pupil is attending another school at which they are registered or taking part in off-site activity such as field trips, educational visits, work experience or unregistered alternative provision.

245. Pupils can only be recorded as attending an off-site activity if it is approved by the school, of an educational nature and supervised by someone authorised by the school. Ultimately, schools are responsible for the safeguarding and welfare of pupils taking part in an off-site educational activity so it would be reasonable to expect that the school would only authorise someone who was answerable to the school to supervise an activity.

246. The activity must take place during the session for which it is recorded and for pupils of compulsory school age the school must record the nature of the activity.

## Attending another school at which the pupil is registered

*Relevant regulation: [6\(1\)\(a\)\(iii\)](#) and [6\(4\)\(b\)](#)*

### Code D: Dual registered at another school

247. The law allows for a pupil to be registered at more than one school. This code is used to indicate that the pupil was not expected to attend the school in question because they were scheduled to attend the other school at which they are registered. The main examples of dual registration are pupils who are attending a pupil referral unit, a hospital school or a special school on a temporary basis.

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

## Attending an educational activity that takes place outside the school

*Relevant regulation: [6\(1\)\(iii\)](#), [6\(1\)\(c\)](#) and [6\(4\)\(a\)](#)*

### Code B: Off-site educational Activity

249. Attending an off-site educational activity that has been approved by the school and supervised by someone authorised by the school.

250. For pupils of compulsory school age, schools must also record the nature of the activity, examples are:

- attending taster days at other schools;

- attending courses at college;
- attending unregistered alternative provision arranged or agreed by the school.

251. The educational activity must take place during the session for which it is recorded.

252. Ultimately schools are responsible for the safeguarding and welfare of pupils educated off-site. Therefore, by using code B, schools are certifying that the education is supervised, and measures have been taken to safeguard the pupil. Schools should ensure that they have in place arrangements whereby the provider of the educational activity notifies the school of any absences by the pupil. The school should record the pupil's absence using the relevant absence code.

253. This code must not be used for any unsupervised educational activity i.e., when a pupil is at home doing some schoolwork.

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

254. Attending an interview with prospective employers or another educational establishment. Schools should be satisfied that the interview is linked to employment prospects, further education, or transfer to another school.

255. This must take place during the session for which it is recorded.

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

256. Taking part in a sporting activity that has been approved by the school. If schools have concerns about the appropriateness of an activity, they can seek advice from the sports' national governing body. However, the final decision on approving the activity rests with the school and they should take the effect on the pupil's general education into account.

257. The sporting activity must take place during the session for which it is recorded.

258. Approved educational activity must be supervised by a person authorised by the school. Schools should ensure that they have in place arrangements whereby the provider of the sporting activity notifies the school of any absence by the pupil. The school should record the pupil's absence using the relevant absence code.

### **Code V: Educational visit or trip**

259. Attendance at an organised visit or trip, including residential trips organised by the school, or attendance at a supervised trip of a strictly educational nature arranged by an organisation approved by the school.

260. The educational visit or trip must take place during the session for which it is recorded.

261. Approved educational activity must be supervised by a person authorised by the school. Schools should ensure that they have in place arrangements whereby the organiser of the visit or trip notifies the school of any absence by the pupil. The school should record the pupil's absence using the relevant absence code.

### **Code W: Work experience**

262. Work experience is for pupils in the final 2 years of compulsory school age.

263. The work experience must take place during the session for which it is recorded.

264. Approved educational activity must be supervised by a person authorised by the school. Schools should ensure that they have in place arrangements whereby the provider of the work experience notifies the school of any absence by the pupil. The school should record the pupil's absence using the relevant absence code.

### **Unable to attend due to exceptional circumstances**

*Relevant regulation: [6\(1\)\(iv\)](#), [6\(1\)\(d\)](#), [6\(5\)](#), [6\(7\)](#) and [6\(2\)\(b\)\(i\)](#)*

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

265. Where a pupil is unable to attend school because:

- the school site or part of it, is closed due to an unavoidable cause at a time when pupils are due to attend; or
- the transport provided by the school or a local authority is not available and the pupil's home is not within safe walking distance; or
- a local or national emergency has resulted in widespread disruption to travel which has prevented the pupil from attending school.

266. Schools must also record the nature of the circumstances in which a pupil is unable to attend school.

### **Walking distance**

267. In relation to a child under the age of 8, means 2 miles, and for a child of 8 or above, means 3 miles. In each case measured by the nearest available safe route.

### **Pupil in custody**

268. Code Y is also used where the pupil is in custody; detained under a court order for a period of less than 4 months or is returning to the school at the end of their custodial period.



## Administrative codes

### Code X: Non-compulsory school age pupil not required to be in school

269. Where a pupil not of compulsory school age is attending school part-time.

270. For example, where parents have chosen for their 4 year-old child to attend part-time until later in the school year but not beyond the point at which the child reaches compulsory school age.

### Code Z: Prospective pupil not on admission register

271. To enable schools to set up registers in advance of pupils joining the school to ease administration burdens.

272. Schools must enter a pupil's name on the admission register from the first day that the school has agreed, or been notified, that the pupil will attend the school.

273. In the normal admissions round, when parents have accepted the school place offered, the local authority can inform schools on behalf of the parents and notify the school when the parent has agreed that the pupil will attend school. This can also be the case where the local authority co-ordinates in-year applications for school places.

274. If a pupil fails to attend on the agreed starting day, the school must establish the reason and record the pupil's absence using the relevant absence code.

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

275. Whole school closures that are known and planned in advance such as:

- days between terms;
- half terms;
- occasional days (for example, bank holidays);
- weekends (where it is required by the management information system);
- up to 5 non-educational days; and
- use of school as a polling station.

276. Partial school closures that are known and planned in advance such as:

- 'staggered starts' or 'induction days' where different term dates have been agreed for different year groups - this code is used to record the year group(s) that is not due to attend; and
- Use of part of the school as a polling station.

## Other relevant legislation and guidance

### Relevant legislation

[The Education Act 1996](#)

[The Children Act 1989](#)

[The Crime and Disorder Act 1998](#)

[The Anti-social Behaviour Act 2003](#)

[The Education and Inspections Act 2006](#)

[The Sentencing Act 2020](#)

[The Education \(Pupil Registration\) \(England\) Regulations 2006](#)

[The Education \(Parenting Contracts and Parenting Orders\) \(England\) Regulations 2007](#)

[The Education \(Penalty Notices\) \(England\) Regulations 2007](#)

### Relevant government guidance

[Parental responsibility measures for attendance and behaviour](#)

[Children missing education](#)

[Keeping children safe in education](#)

[Working together to safeguard children](#)

[Elective home education](#)

[Alternative provision: statutory guidance for local authorities](#)

[Exclusion from maintained schools, academies and pupil referral units in England](#)

[Supporting pupils at school with medical conditions](#)

[Ensuring a good education for children who cannot attend school because of health needs](#)

[Promoting and supporting mental health and wellbeing in schools and colleges](#)

[Approaches to preventing and tackling bullying](#)



Department  
for Education

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