## NONSUCH HIGH SCHOOL FOR GIRLS <br> ATTENDANCE POLICY

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## 1. Aims and guiding principles

1.1 This policy is based on the Government Guidance for maintained schools, academies, independent school and local authorities;
https://www.gov.uk/government/publications/working-together-to-improve-schoolattendance
1.2 This policy should be read in conjunction with the Behaviour for Learning policy
1.3 Nonsuch High School for Girls provides a respectful, supportive and inclusive community that aims for 'excellence in girls' education'. We empower young people to want to achieve, to be part of Nonsuch school life and take full advantage of the educational opportunities available to them. Students actively seek to gain high levels of attendance and punctuality and we work together with all stakeholders in order to ensure this.
1.4 Excellent attendance and punctuality at school are vital for students in order to achieve their full educational potential. Students with excellent attendance records benefit in the following ways:

- continuity of learning which supports progress;
- enhanced performance in examinations;
- continuity of relationships and friendships;
- good references for further education or employment;
- good habits formed for later life;
- emotional wellbeing and health benefits.
1.5 It is expected that all students aim for at least $97 \%$ attendance each year
- $97 \%-100 \%$ is defined as expected
- $95 \%-96 \%$ is defined as satisfactory
- Below 95\% is defined as cause for concern
- Below $90 \%$ is defined as a serious cause for concern
- Below $50 \%$ is defined as severe cause for concern
1.6 The school understands that there are exceptional circumstances when a leave of absence may be required for reasons beyond the parents or student's control. However, these are very rare and should not cause a student's attendance to drop towards 95\%.
1.7 A student's progress is severely hampered if they do not regularly attend school.
1.8 Where absence escalates and students miss $10 \%$ or more of school (equivalent to 1 day or more a fortnight across a full school year), this is classed as 'persistent absence' (PA) by the DfE. If this continues from Years 7 to 11, a total of six months' education will be lost.
1.9 An attendance record of $80 \%$ is equal to 1 day missed per week. If this continues from Years 7 to 11, a total of one year's education will be lost.
1.10 Students who are absent from school more than they are present (those missing 50\% or more of school) are classed as 'severely absent' (SA).
1.11 It is the legal responsibility of every parent to make sure that their child attends school on time every day that the school is open.


## 2. Roles and Responsibilities

2.1 The Deputy Head (Pastoral) (pastoral@nonsuchschool.org) is responsible for the strategic approach to attendance in school
2.2 The School
2.2.1 Nonsuch High School for Girls expects students to attend school regularly and to arrive on time in a fit condition to learn.
2.2.2 We have a clear attendance policy with robust systems that follows up absence
2.2.3 We will encourage excellent attendance and will investigate all unexplained and unjustified absenteeism.
2.2.4 Should attendance or punctuality give cause for concern, we will work closely with parents/carers and provide appropriate support in order to improve attendance and /or punctuality.
2.2.5 Our attendance strategy in Appendix B illustrates the steps we take to ensure excellent attendance. However, in summary we encourage excellent attendance and punctuality in the following ways:

- school targets are set for attendance and individual targets are set where necessary;
- attendance information is provided to parents/carers via the School Gateway App to them to regularly monitoring their child's attendance;
- regular promotion of excellent attendance in assemblies, the school newsletter, Parents' Information Evenings and at Parents' Evenings;
- weekly and half termly analysis of attendance figures and trends for individuals, Year Groups and the whole school with action plans identified as a result;
- termly reports to Governors;
- computerised registration system which allows every lesson to be monitored;
- an Attendance Officer dedicated to the administration of attendance including the follow-up of absence and lateness;
- contact with parents/carers on the first day of absence;
- a working partnership with the Borough's Schools Attendance Service;
- support for students and parents/carers where attendance and/or punctuality difficulties are emerging;


### 2.3 Students

2.3.1 Students will ensure that they attend school regularly and on time.
2.3.2 They will attend all lessons punctually and will not leave the school without permission.
2.3.3 They will follow the procedures outlined in our policy for any requests for absence or appointments during the school day.

### 2.4 Parents and Carers

2.4.1 Parents/carers are legally responsible for ensuring their child's regular and punctual attendance and informing school of the reason for any absence on the first morning of any absence as per the DfE 'Working together to improve school attendance' 2022.
2.4.2 Parents/carers can expect the school to keep them fully informed of their child's attendance/ punctuality record.
2.4.3 Parents/carers play a very important role in ensuring the good attendance records of their child. Below is a list of suggested strategies:

- encourage full attendance;
- stress the importance of full attendance to your child;
- do not allow your child to have time off for minor complaints or illnesses: if they are well enough to be up and about they are generally well enough to attend school;
- monitor your child's attendance report carefully;
- try to book any medical or dental appointments out of school hours or make them for the very end of the day;
- ensure your child is punctual to school;
- inform the school of any absence;
- take any family holidays in school holidays, not during term time;
- if your child seems unwilling to attend, contact the school as soon as possible: do not let your child stay at home as this could set a precedent for the future


## 3. Process of recording attendance

3.1 Registration is completed in each lesson using SIMS Lesson Monitor.
3.2 Guidelines for marking the register in SIMS Lesson Monitor are in the staff handbook and all new staff are trained in the process.
3.3 The legally required morning and afternoon register is taken in registration period at 8:30 a.m. and in Period 4 at 1:10 p.m.
3.4 Sixth Form students with afternoon Exit Privileges will register in Period 4 at 1:10 p.m. before swiping out using their proximity cards.
3.5 For morning registration, the register will be opened and taken at $8.30 \mathrm{a} . \mathrm{m}$. The register for morning registration will close at 8:50 a.m.
3.6 If a student arrives in registration after 8:30 a.m. and before 8:50 a.m. the student must sign see their form tutor to sign in. They will be marked as late $(\mathrm{L})$ in the register.
3.7 If they arrive after the registration period closes at 8:50 a.m. they will be marked as unauthorised absence ( U ) (or given a relevant code) for the morning session of the day even if they are present for period 1. They will also be required to sign in at reception and the parent will be required to provide an explanation for the absence
3.8 For afternoon registration, the register will be taken in Period 4. It will be opened at 1:10 p.m. and close at 1:30 p.m.
3.9 If a student arrives in class after 1:10 p.m. but before the register closes at 1:30 p.m. they will be marked as late ( L ) in the register.
3.10 If they arrive after the register closes at 1:30 p.m. they will be marked as unauthorised absence ( U ) (or given a relevant code) for the afternoon session of the day even if they are present for period 4 and 5.
3.11 Those students (except sixth formers with Exit Privileges) who leave the premises before the end of the day, must sign out by the Main School Office.
3.12 Parents have access to their child's attendance through the School Gateway App. Reports to parents include data on attendance.

### 3.13 The Attendance Officer records all absences in accordance with the Department for Education (DfE) national codes. https://www.gov.uk/government/publications/working-together-to-improve-school-attendance

## 4. Process for recording student absence

### 4.1 Unexpected Student absence:

4.1.1 In the event of reporting unexpected absence, e.g. illness, parents must contact the Attendance Officer by 9:00 a.m. on the morning of each day of absence and every subsequent day by the School Gateway App
4.1.2 If there is no communication from parents/carers, then this absence will be automatically recorded as an unauthorised absence.
4.1.3 The School's Attendance Officer (Years 7-11) and the Sixth Form Administrator (Years 12-13) will contact parents of students with an unexplained absence by school comms on the first day of the absence.
4.1.4 If no response is received by the end of the school day, the Head of Year will call or email home. If the school receives no response we will use our safeguarding procedures to ensure the student is safe.
4.1.5 If absence continues, after 5 days the Head of Year will contact parents once again to support a return to school.

### 4.2 Request for leave of absence

4.2.1 To request an expected leave of absence, for example doctors' appointments, music exam, interview, extra-ordinary leave, requests in writing should be made at least 48 hours (two school days) in advance of the event via the School Gateway App.
4.2.2 The decision over whether an absence is authorised rests with the school. The following absences may be treated as authorised by the school:

- Illness under 3 days
- Medical or dental appointment (Parents/carers are encouraged to make appointments out of school hours. Where possible, the student should only be out of school for a minimum amount of time necessary for the appointment.)
- 1-day Religious observance (on a day that is exclusively set apart for religious observance by the parents' religious body (not the parents))
- Close family bereavement up to 5 days
- Leave of absence authorised by the Head teacher under exceptional circumstances


### 4.2.3 Suspension

4.2.4 Appointments (e.g. orthodontist, doctor etc.) during the school day should be avoided. Students in Years 7-11 are required to be collected from school and will not usually be allowed to travel alone. To ensure the safeguarding of all our students we are unable to let a student leave school without parent/carer consent in Years 7-11.
4.2.5 In order to authorise absence in certain circumstances the school may request further information from parents. If this information is not supplied the absence will remain unauthorised and if it exceeds 5 days in a 6-month period we would refer to the attendance service. The school may ask for further evidence in the following circumstances:

- Illness of 4 consecutive days or more (we will request medical evidence in the form of a doctor's appointment, prescription or medical letter)
- Sporadic illness of 4 days or more across one half term (we will request medical evidence in the form of a doctor's appointment, prescription or medical letter)
- Any number of days Illness that directly precedes or follows a school holiday (we will request medical evidence in the form of a doctor's appointment, prescription or medical letter)
- Delayed return to school due while traveling abroad (we will request original flight tickets for return flight which would ensure student is back in school at start of term)


### 4.3 How the school processes leave of absence decisions

4.3.1 The only person who can authorise a leave of absence for reason other than illness or medical appointments is the headteacher.
4.3.2 Only in exceptional circumstances will an expected leave of absence be granted by the Headteacher. Each request will be considered individually. If a leave of absence is granted, it is for the Headteacher to determine the length of time the student can be away from school.
4.3.3 We strongly encourage parents to contact school in advance of the dates if they are considering a leave of absence that is not for illness or medical reasons. As a school we have a legal safeguarding duty to know where students are if they do not attend school.
4.3.4 If there are very exceptional circumstances where parents must request a longer leave of absence, they must do so by writing to the Headteacher and include relevant evidence e.g. medical certificate, letter from employers. It is expected that, where possible, such requests will be made at least two weeks in advance.
4.3.5 The Head will then write to parents to inform them of the decision with regard to requests for leave of absence in term time. If the request is granted, the expected date of the student's return will be included in the letter and any action which will be taken if the student fails to return on the date expected.
4.3.6 It is unlikely a leave of absence will be granted for the purposes of a family holiday, trip or extended period of leave. If a student is absent during this period, it will be recorded as unauthorised and the following action will be taken:

- You will receive a letter from the Headteacher
- You maybe be asked to attend a meeting or attendance clinic in school
- The matter will be referred to the Attendance service at Cognus for consideration for a fixed penalty notice (See Appendix A)
4.4 For any absence the school reserves the right to request evidence for either the unexpected or expected absence. This could include but is not exclusive to medical evidence, an appointment card or letter or details of travel arrangements.
4.5 If permission is granted for an absence during term time, it is the responsibility of the student to obtain work before going and/or to copy up notes etc. on return. We will not supply access to notes during the absence
4.6 If the absence is caused by prolonged illness, the Form Tutor and/or Head of Year will liaise with parents to provide work. In severe cases the Educational Welfare Service will be contacted to provide access to possible home tuition.


## 5 Monitoring attendance and punctuality

5.1 School attendance and punctuality data is monitored:
5.1.1 Daily and weekly by the form tutor and co tutor
5.1.2 Half termly by Heads of Year and Deputy Head (Pastoral) or Assistant Headteacher (Director of $6{ }^{\text {th }}$ Form)
5.1.3 Termly and Yearly by the Headteacher, Deputy Head (Pastoral) and Governor
5.2 The Deputy Head with responsibility for the Year Teams 7-11 will discuss attendance and punctuality matters with the Heads of Year. The Director of Sixth Form discusses attendance and punctuality with the Heads of Years 12-13.
5.3 Parents are able to monitor attendance data through the School Gateway App
5.4 The school will benchmark attendance data against local, regional and national levels to identify areas for improvement
5.5 The Deputy Head (Pastoral) will use the data to monitor the impact of school wide attendance strategies
5.6 Attendance is reported to the Local and Trust Governing Bodies. The School sets annual targets for overall attendance figures in the Autumn Term each year. Attendance data are submitted to the DfE on a termly basis.
5.7 Good punctuality to both lessons and to school is expected of all students. We know that employers place great importance on punctuality and attendance and it is important for our students to understand the value of being on time. We recognise that parents play a vital role and have a legal responsibility to ensure good punctuality and we aim to identify, investigate and work in partnership with parents, students and other agencies to resolve any punctuality problems.

## 6 Supporting Attendance and Punctuality

6.1 Good attendance is recognised by the awarding of certificates in end of term Year Assemblies, through letters home (Appendix E) and the golden ticket reward (please refer to the Behaviour for Learning Policy).

### 6.2 Supporting Attendance:

6.2.1 When attendance data highlights issues with individual students' attendance immediate intervention is provided, targeted, monitored and evaluated by the form tutor and / or Head of Year.
6.2.2 The school will work closely in partnership with parents to build strong relationships to address any in or out of school barriers to attendance and or punctuality.
6.2.3 As attendance falls below $95 \%$ Tutors will contact home to build strong relationships to address any in or out of school barriers to attendance and or punctuality. A stage one letter will be sent home
6.2.4 The Heads of Year (7-11) and Tutors (6th Form) will contact parents when attendance falls below $90 \%$ and a stage two letter will be sent home Heads of Year may ask parents to provide a medical certificate in cases where the student has persistent absence which is below $90 \%$.
6.2.5 The school will work with parents to develop support for the student.
6.2.6 If attendance continues to decline towards $70 \%$ then a Stage Two Letter will be sent home and parents will be invited to an attendance clinic at school and /or Trust. A meeting with the Educational Welfare Officer may also be arranged. The school will work closely in partnership with parents and external agencies to build strong relationships to address any in or out of school barriers to attendance and or punctuality.
6.2.7 If this support has not been effective or has not been engaged with the school will work with the local authority to put formal support in place in the form of a parenting contract or education supervision order and /or a fixed penalty notice will be given.
6.2.8 If a student's attendance continues to be a cause if concern and all avenues of support have been exhausted, are not working or not being engaged with, the Headteacher will look to enforce attendance through statutory intervention or prosecution to protect the students right to an education. (see section 5.4)
6.2.9 If attendance in the 6th form drops below $90 \%$ the school can request that a student pays for their exam entries.
6.2.10 Where analysis of half termly, termly or yearly data identifies patterns or trends with cohorts of students, specific strategies will be used to improve attendance. The school attendance strategy can be found in Appendix B
6.3 Supporting Punctuality:
6.3.1 The school recognises occasions where students may arrive late to school and this cannot be helped because of external issues. However, these are rare events.
6.3.2 The second time a student arrives late without a valid reason parents will receive a school comms informing them that their child has been late to school
6.3.3 If a student arrives late without good cause 3 or more times a term a whole school 30-minute detention will be issued.
6.3.4 Students in Years $7-11$ will be informed of the detention by email to parents/ carers and the student
6.3.5 Students in Years 12 and 13 are emailed informing them of the detention and the parents/carers are copied into the email
6.3.6 If a student's punctuality continues to be a cause for concern and all avenues for support have been exhausted, are not working or not been engaged with, the
school will work with the local education authority and if necessary, consider a fixed penalty notice.
6.3.7 Appendix $C$ has further information on our graduated approach to supporting and monitoring punctuality. Please also refer to our Behaviour for Learning Policy.

### 6.4 Statutory intervention

6.4.1 Once the school has exhausted all avenues of support and it is not working or being engaged with, the Headteacher will refer to the Local Authority for consideration of intervention or prosecution to protect the student's right to an education.
6.4.2 Local authorities have the power to serve each parent with a Penalty Notice where: overall absence, within the previous six months, has fallen to $85 \%$ or below ( $15 \%$ or more absence); at least $50 \%$ of that absence remaining unauthorised; or, where there have been at least 10 sessions ( 5 school days) of unauthorised absence within the previous six weeks.
6.4.3 The penalty for each parent is $£ 60$ for each child if paid within 21 days of receipt of the notice, rising to $£ 120$ if paid after 21 days.
6.4.4 Penalty Notices apply to pupils of statutory school age, which finishes on the last Friday in June of Year 11. Further information regarding a Penalty Notice can be found on the London Borough of Sutton Website: https://www.sutton.gov.uk/documents/20124/214425/PN_Code_of_Conduct_SE PT_18.pdf/476d3b 79-ffb7-9408-18ed-18ac2bf32fed

## 7 Parental engagement in support

7.1 Parents are urged to contact the Form Tutor or Head of Year if they have concerns that their child may be reluctant, or has started to refuse, to come to school. Early help and intervention is essential.
7.2 Attendance and punctuality information is sent to parents/carers regularly to assist them in monitoring their child's attendance.
7.3 Parents/carers play a very important role in ensuring the good attendance records of their child. Below is a list of suggested strategies:

- encourage full attendance; talk to your child to try to ascertain if there are any problems or worries at school, on the journey to school or at home
- do not allow your child to have time off for minor complaints or illnesses: if they are well enough to be up and about, they are generally well enough to attend school;
- monitor your child's attendance report carefully;
- book any medical or dental appointments out of school hours or make them for the very end of the day;
- do not take your child out of school for trips abroad in term time
- ensure your child is punctual for school;
- work with the school to remove any barriers to attendance.
- seek advice from the Borough Schools' Attendance Service (BSAS);
7.4 The following websites might be useful for parents/carers:
- Family Lives (formerly Parentline) - www.familylives.org.uk
- Advisory Centre for Education - www.ace-ed.org.uk


## 8 Students with Medical or Special Educational Needs

8.1 Some students face greater barriers to attendance than their peers. These can include students who suffer from long term medical conditions or who have a special educational need or disabilities.
8.2 The right to an education is the same for all students and therefore the attendance ambition for these students should be the same as for other students.
8.3 However, when working to improve attendance with these students the school should be mindful of the different barriers faced and put in additional support in place where necessary to help them to access their full-time education.
8.4 This can include:

- Making reasonable adjustments and consider specific approaches with parents
- Putting in place a health care plan or Educational health care plan
- Consider working with external partners
- Making referrals where appropriate
- Consider removal of barriers such as uniform or lunchtime arrangements
- Consider time limited phased return to school
- Ensure data is monitored regularly and targeted meetings occur
8.5 We will ensure that students unable to attend school because of health needs can access suitable and flexible education appropriate to their needs. The nature of the provision is responsive to the demands of what may be a changing health status.
8.6 Each case will be based on a personalised approach but will always involve liaison between the school, student and parents / carers. The lead person in each case will be the Head of Year but students with medical needs will also be monitored by the allocated SLT member and the SENDCo.
8.7 Guidance in the DfE document 'Supporting students at school with medical conditions' Statutory guidance for governing bodies of maintained schools and proprietors of academies in England December 2015, is followed for all students with medical needs.
8.8 The 'First Aid \& Medical Room Procedures', available in the First Aid Room, details the school's medical procedures.


## 9 Students missing education for reasons other than medical

9.1 Missing education can be an indicator of other circumstances including students being at risk of harm or neglect so the school must investigate all unexplained absences.
9.2 Attendance is monitored through the daily registers. Monitoring of attendance occurs on a daily basis and is carried out by the Attendance Officer (Years 7-11) or Sixth Form Administrator (Sixth Form).
9.3 Further monitoring takes place on a weekly, monthly and half termly basis by the Heads of Year and Senior Leader in Charge of Attendance
9.4 All unexplained absences are investigated. Following school action, which may include an attendance meeting with parents / carers, poor attendance may be referred to the Attendance Service at Cognus.
9.5 We will notify the London Borough of Sutton if a student is to be taken off the school roll or if a parent / carer decides to home school their child.
9.6 We will arrange full-time education for excluded students from the sixth school day of a fixed period suspension
9.7 If no explanation of unauthorised absence for an extended period occurs we will consult with the multi-agency safeguarding hub (MASH).

## 10 Children Missing Education

10.1 'Children missing education' are children of compulsory school age who are not registered students at a school and are not receiving suitable education otherwise than at a school. Children missing education are at significant risk of underachieving, being victims of harm, exploitation or radicalisation, and becoming NEET (not in education, employment or training) later in life.
10.2 Under DfE guidance 'Children missing education: Statutory guidance for local authorities' September 2016, schools are obliged to investigate any student who fails to attend school. The London Borough of Sutton procedures will be followed where investigations fail to establish good reason for absence of more than 10 days.

# CODE OF CONDUCT Penalty Notices 



For Parents of Pupils Absent from School
Education Act 1996 and Education and Inspection Act 2006

## 1. INTRODUCTION

1.1 The purpose of this Local Code of Conduct is to ensure that statutory powers are applied consistently and fairly across the Local Authority area and that suitable arrangements are in place for the administration of the issuing of Penalty Notices.
1.2 The Government requires Local Authorities to issue a Code of Conduct to all schools.
1.3 This Code of Conduct has been written in light of 'Guidance on Education-Related Parenting Contracts, Parenting Orders and Penalty Notices' - Revised Edition 2007, and Education (Pupil Registration) (England) Regulations 2006 (Amended 2013).
1.4 The London Borough of Sutton Code has been agreed following consultation with:

- Sutton Local Authority - School Attendance Service;
- Representatives from Governing Bodies and Headteachers of Sutton Schools;
- The Sutton division of the Metropolitan Police Service;
- South London Legal Partnership (SLLP) Legal Services.

This is in accordance with the Education (Penalty Notices) Regulations 2004 and Anti-Social Behaviour Act 2003 Section 23 Subsection (1).
1.5 Anyone issuing a Penalty Notice to a parent ${ }^{1}$ of a child of statutory school age on roll at a Sutton school, must do so within the terms of this Code.
1.6 The key consideration in deciding whether to issue a Penalty Notice will be whether it can be effective in helping to improve the pupil's

[^1]attendance. The School Attendance Service will also consider whether the Local Authority is likely to be willing and able to prosecute, should the parent fail to pay the penalty.

## 2. LEGISLATION

2.1 The Anti-Social Behaviour Act 2003 inserts into the Education Act 1996 Section 444A and Section 444B enabling authorised personnel to issue Penalty Notices as an alternative to prosecution under Section 444, and enable parents to discharge potential liability for conviction for that offence by paying a penalty.
2.2 What is a Penalty Notice?

Penalty Notices are fines that can be issued by a Local Authority or a school to parents for their child's unauthorised absence from school.

### 2.3 When is a Penalty Notice appropriate?

- Parents of a registered pupil whose child fails to attend school regularly, without reasonable justification, are committing an offence under Section 444 of the Education Act 1996. A Penalty Notice for irregular attendance can be issued where the parent is capable of, but unwilling to secure an improvement in their child's school attendance.
- Where a parent fails, without a reasonable excuse, to ensure that their excluded child is not present in a public place during school hours in the first five days of any exclusion, then she or he is committing an offence under Section 103 of the Education and Inspections Act 2006.
2.4 The education-related provisions of the Anti-Social Behaviour Act 2003 apply to all parents who fall within the definition set out in Section 576 of the Education 1996. This defines 'parent' as:
(i) all natural parents, whether they are married or not;
(ii) any person who, although they are not a natural parent, has parental responsibility (as defined in the Children Act 1989) for a child or young person;
(iii) any person who, although not a natural parent, has care of a child or young person. Having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law.


### 2.5 Specific Conditions

Children Looked After: The London Borough of Sutton does not include Children Looked After in the Penalty Notice process. Where there are concerns over attendance with a child within the London Borough of Sutton or other Local Authority care, a review
should be held to determine that appropriate provision is in place and whether changes need to be made to better engage the young person with their education.

Special Educational Needs (SEN): For pupils with an Education Health \& Care Plan, an early review should be held before considering a Penalty Notice or other legal action. This is to determine that appropriate provision is in place and whether changes need to be made to better engage the young person with their education.

## 3. RATIONALE

3.1 Regular and punctual attendance at school is both a legal requirement and essential for pupils to maximise their educational opportunities. In law an offence occurs if a parent fails to secure a child's attendance at school at which they are a registered pupil and that absence is not authorised by the school. Parents are supported at school and Local Authority level to overcome barriers to regular attendance.
4. AUTHORISATION TO ISSUE PENALTY NOTICES
4.1 Primary responsibility for issuing Penalty Notices rests with the Local Authority through the School Attendance Service.
4.2 In Sutton it has been agreed that the Police will not issue Penalty Notices to parents of truants, and neither will schools. If Headteachers feel it appropriate that a Penalty Notice is served, they therefore must consult with and refer to the School Attendance Service.
4.3 This will avoid a Penalty Notice being issued when the Attendance Service may already be instigating legal proceedings for unauthorised absence from school.
4.4 It has been agreed that the School Attendance Service, on behalf of Sutton Local Authority, will therefore issue Penalty Notices. The Service will administer the scheme from any funds obtained as a result of issuing Penalty Notices.
4.5 The Local Authority is required to set out the maximum number of Penalty Notices which may be issued to each parent in any 12month period. For these purposes the Local Authority has set the maximum at two Penalty Notices for each parent for each individual child (with no restriction on the number of Wamings issued), although more than one Penalty Notice can be issued in a 12-month period in circumstances relating to multiple leave of absence (i.e., unauthorised holidays during term time).

Should the issue of a Penalty Notice fail to improve attendance, consideration will be given to a prosecution.

NB It is not a defence for the parent to say that she/he was unaware of the absences or the pupil being out unsupervised during an exclusion from school. Parents are expected to know where their children are on a daily basis and there is no duty, in law, on the school or the Local Authority to advise them of their child's absence.

## 5. CIRCUMSTANCES IN WHICH A PENALTY NOTICE MAY BE ISSUED

5.1 Penalty Notices apply to pupils of statutory school age, which finishes on the last Friday in June of Year 11.
Within Sutton it has been agreed to use Penalty Notices in the following circumstances:
5.2 Penalty Notices for Unauthorised Absence from School

London Borough of Sutton uses Penalty Notices to safeguard the education of children, and to influence the improvement of identified cases of poor attendance patterns at school.

The School Attendance Service will consider the issue of Penalty Notices to parents. This will be where:

- there has been a Referral to School Attendance Service from the school as part of the school's processes to address poor attendance patterns;
- evidence of intervention has been supplied by the pupil's school and / or the Local Authority;
- the Local Authority is satisfied that an offence has been committed under Section 444 Education Act 1996;
- where overall absence, within the previous six months, has fallen to $85 \%$ or below ( $15 \%$ or more absence);
- at least $50 \%$ of that absence remaining unauthorised;
- or, where there have been at least 10 sessions of unauthorised absence within the previous six weeks.


### 5.3 Required Documentation for Each Child If a Penalty Notice is in relation to Unauthorised Absence:

- A fully completed Penalty Notice Referral form.
- A Registration Certificate - to include previous 12 months.
- A Certificate of Attendance.
- A copy of the school's Warning letter to the parents, warning that a referral may be made to the Local Authority to issue a Penalty Notice.
5.4 Excluded pupils identified in a public place during specified days of exclusion:
When a pupil is excluded from school, either for a fixed period exclusion or a permanent exclusion, the parent is responsible for
ensuring that their child is not found in a public place during normal school hours on the specified days of the exclusion. Truancy Patrols take place regularly in Sutton, carried out by Attendance Officers in partnership with the Police.

If an excluded pupil is stopped in a public place by the Truancy Patrol during the specified days of their exclusion, the School Attendance Officer on patrol can refer for a Penalty Notice to be issued under Section 103 of the Education and Inspections Act 2006.

Pupils on roll at a school outside Sutton will be referred to the attendance service in the Local Authority where they are on roll.
5.5 Holidays in term time without permission

The Education (Pupil Registration) (England) Regulations 2006, amended in September 2013, removes references to family holiday and extended leave as well as the previous statutory threshold of ten school days. The amendments make it clear that Headteachers may not grant any leave of absence during term time unless there are exceptional circumstances. Headteachers should determine the number of school days a child can be away from school if the leave is granted. It is at the Headteacher's discretion to authorise such leave of absence.
5.6 It is for each school, with their Governing Body, to decide whether they wish to issue Penalty Notices for unauthorised leave of absence in term time. Where Penalty Notices will be issued, schools must ensure that all relevant literature is provided to parents, such as the school Prospectus, Attendance and Behaviour Policies, Home School Agreements, Newsletters; and website information includes the warning that parents may be issued with a Penalty Notice if leave of absence is taken without permission.
5.7 If a Headteacher does not authorise a request for leave of absence, s/he will send a letter to the parent confirming this decision, which includes a warning that a Penalty Notice may be issued.
5.8 If leave of absence is then taken without authorisation, school may choose to complete a Penalty Notice Referral. Penalty Notice Referrals must be agreed and signed by the Headteacher.
Referral forms should be sent to the Penalty Notice Officer at the School Attendance Service, for receipt within 2 weeks of the holiday being completed. All Referrals will be considered for Penalty Notice issue.
5.9 Penalty Notices for any unauthorised leave of absence in term-time can be requested by the Headteacher. The Headteacher should act in accordance with the school's Policy and must take

Into account all considerations recommended in the National Guidance ${ }^{2}$. The School Attendance Service Court Officer / Penalty Notice Officer may decline to issue a Notice where such considerations have not been made.

The Local Authority will consider the following case disposals :

- Penalty Notice
- Warning
- Formal Caution
- Court Proceedings
- NFA


## 6. ISSUING OF PENALTY NOTICES

6.1 The issue of a Penalty Notice for unauthorised absence must be preceded by a formal letter to the parent. This letter will:

- Raise concerns regarding the level of unauthorised absence, and giving advice regarding contact with the school / School Attendance Officer.
- Remind the parent of their responsibility for ensuring their child maintains full and regular attendance at school, in accordance with Section 444 of The Education Act 1996, and that failure to do so could result in legal action being taken.
- Advise the parent of the powers of the Local Authority to issue Penalty Notices.
- State the specific absences which will give rise to the formal warning.
- Notify the parent that continued unauthorised absence may lead to the issue of a Penalty Notice or other legal action.
6.2 It for Headteachers to determine if the request is Exceptional. Legislation requires that each request is judged on a case by case basis.
6.3 Before a Penalty Notice is issued it must be evident that the matter is capable of proof in the Magistrates' Court so that in the event of non-payment of the charge, the parent / carer can be prosecuted.


## 7. NUMBER OF PENALTY NOTICES TO BE ISSUED FOR TRUANCY OR UNAUTHORISED ABSENCE

7.1 Sutton will issue no more than two penalty notices per pupil with high levels of unauthorised absences in a 12-month period.

If the law continues to be broken around school attendance, the School Attendance Service legal intervention process will be considered.

[^2]
## 8. PAYMENT OF PENALTY NOTICES

8.1 The penalty for each parent is $£ 60$ for each child if paid within 21 days of receipt of the notice, rising to $£ 120$ if paid after 21 days but within 28 days of receipt of the notice. (Service by post is deemed to have been effected, on the second working day after posting the Notice by first class post, unless the contrary is proved.)
8.2 All penalties are paid to the Local Authority to cover the administration costs of issuing and enforcing penalties and the prosecution of recipients who do not pay their penalty.
8.3 The arrangements for the paying of penalties will be detailed on the Penalty Notices.
8.4 If the penalty is not paid in full by the end of the 28 -day period the School Attendance Service will consider prosecution for the offence to which the Notice applies. The prosecution is not for non-payment of the Notice but is a prosecution for irregular school attendance Education Act 1996 Section 444.
8.5 There is no statutory right of appeal against the issuing of a Penalty Notice.
8.6 A Penalty Notice need not be served before any prosecution can take place.
9. WITHDRAWAL OF PENALTY NOTICES
9.1 A Penalty Notice can only be withdrawn in the following circumstances:

- where it ought not to have been issued, i.e. where it has been issued outside the terms of the local Code of Conduct or where no offence has been committed;
- where it has been issued to the wrong person;
- where it contains factual errors;
- where new evidence or information has come to light after the initial application, that warrants the withdrawal of the Penalty Notice.


## Appendix B Attendance Strategy



| Attendance <br> percentage | Responsibility | Responses | Example Actions or interventions |
| :--- | :--- | :--- | :--- | :--- |
| $96 \%-95 \%$ <br> (Satisfactory) | Tutors and Head of <br> Years | Tutor makes the Head of Year aware of students who are beginning to fall <br> towards $95 \%$ <br> Regular monitoring and analysis of whole year group data by Head of Year <br> Tutor to have mentoring conversation with student regarding reason for fall <br> in attendance | Peer mentoring <br> Set Targets with student and then <br> monitor |


|  |  | Head of year and Tutor to meet or call parents to discuss interventions <br> already in place and the increase in support that can be offered. If barriers <br> are outside of school sign post to early help. Agree actions and interventions | Pastoral support: ELSA, Mental Health <br> Champion, CWP |
| :--- | :--- | :--- | :--- | :--- |


| Attendance percentage | Responsibility | Responses | Example Actions or interventions | Acknowledgement / Success |
| :---: | :---: | :---: | :---: | :---: |
| Below 95\% (cause for concern) | Head of Year and Deputy Head / Assistant head $6^{\text {th }}$ form | Head of Year and Deputy Head (Pastoral) Assistant Head 6 ${ }^{\text {th }}$ Form is aware of students below 95\% through half termly monitoring of attendance data and conversations with Tutors <br> Stage one attendance letter is sent home to make parents aware. <br> More formal conversations take place between Head of year and Student Consequences of persistent and serve attendance explained and interventions discussed <br> Tutors welcome and build confidence with student when they are in school <br> Head of year develops intervention strategies with AHT $6^{\text {th }}$ Form and DH pastoral to improve attendance <br> Begin to work with external organisations to support student such as CAHMS and EWO if appropriate <br> Medical evidence sorts if appropriate. | Investigation to understand underlying causes of absence. <br> Consideration of SEND / ECHP <br> 1:1 intervention with HoY and letter sent home <br> Support given by external agencies EWO / Ed Psy / CAMHS <br> Set goals and action plans in conjunction with parents, assessed after 10 days for impact and make changes if necessary <br> 1-2-1 tutoring to support academic work <br> Timeout / exit cards used <br> School support services used to provide help for underlying issues; councillor, CWP, ELSA <br> Differentiated timetable considered for medical or SMEH | Improvement in attendance is celebrated by Head of Year letter home (appendix F) and by speaking to student <br> Improvement in attendance recognised by form tutor and Head of Year |

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Stage 5:
If student's attendance drops to $70 \%$ then they will be invited
to attend the Trust Attendance Clinic

| Attendance <br> percentage | Responsibility | Responses | Example strategies that could be <br> used |  |
| :--- | :--- | :--- | :--- | :--- |
| $50 \%$ and <br> Below | Head of Year and Deputy <br> Head / Assistant head $6^{\text {th }}$ <br> form | Put formal support in place in the form of a parenting contract <br> or and education supervision order | Social care involvement <br> Issue a fixed penalty notice where support would not be <br> appropriate or has not been successful or engaged with and it is <br> likely to change parent's behaviour. <br> Intensify support through statutory children's social care <br> involvement | Prosecution of parents where all <br> else fails |

## Other concerns

Long absence due to trip abroad: letter home (appendix E) and meeting parents with Head and Deputy on return. Dates of tripped logged and will be referred to in the future. Fixed Penalty Notice given

SMEH / SEND long term absence: Work closely with SENDCo, parents and outside agencies to develop individualised strategies

## Attendance Strategy clearly

 communicated to parents with expectation that holidays,appointments are taken outside of term time

Meetings with parents returning from trips abroad in term time.

Meeting with parents and SENDco to discuss potential strategies.

Adapted timetables

Attendance cliques set up to provide support to parents dealing with complex issues

Fixed Penalty notice

Reduction in the number of Students asking for absence for family trips abroad

## Action to Implement Strategy

| Daily | Weekly | Half Term / Termly / Yearly |
| :--- | :--- | :--- | :--- |
| Attendance officer and Sixth form Administrator monitors missing <br> registers, absences and punctuality | Tutor and Co Tutor monitors attendance data via data base <br> on SIMS | Head of Year to analyse Data and produce a report for <br> Deputy Head or Assistant head |
| Attendance officer enters students who sign in late | Meeting with students of concern to set or assess targets | Discuss attendance with Head of Year and decide <br> intervention strategies where needed. |
| Any student who hasn't been reported absent will be contacted by the <br> attendance officer. This will be followed up by the HoY if no response is <br> given | Record action on Sims any actions they may have taken with <br> regards to attendance | Send letters home for 100\% attendance |
| Tutor takes register daily both in morning and afternoon |  |  |


| Signing of attendance / punctuality reports | Benchmark attendance data against local, regional, <br> national levels to identify areas for development |
| :--- | :--- | :--- |
| Monitor the impact of school wide attendance efforts <br> including any strategies implemented | Provide data and reports to support the work of the <br> governing body |

## Appendix C Punctuality Graduated Approach

Below is the process the school employs to monitor students and their punctuality and how we sanction students who are late

- A student must be in school by 8.30 a.m.
- If a student arrives in school after 8.50 a.m. they must sign in at main school reception


## Stage 1

- If a student is late on one occasion form tutors will speak to the pupil.
- The second time a student arrives late without a valid reason parents, students, tutor and head of year will receive an email informing them that they have been late twice to school this term. The email will be sent by the pastoral administrator
- The pastoral administrator will log the date of the email.

Stage 2:

- If a student is late 3 times in a term, they will receive a 30 -minute after school detention.
- If a student continues to be late for a 4th or 5th time, an hour detention will be given after school on both occasions
- Students in Years 7-11 will be informed of the detention by email to parents/carers
- Students in Years 12 and 13 are emailed informing them of the detention and the parents/carers are copied into the email

Stage 3:

- If a student is late 6 or more times a term, then the Head of Year will speak with the student and if appropriate home.
- Support strategies will be put into place and punctuality targets will be set.
- No Detention will be given.
- Strategies could include a punctuality report where students report every morning and afternoon to head of year
- Punctuality report could be graduated
- Strategies will be logged by the pastoral administrator

Stage 4:

- If a student is late 9 times in a term and continues to be late, a formal meeting will take place between the student, Head of Year and Deputy Head Pastoral or Assistant Head 6 ${ }^{\text {th }}$ Form
- A pastoral support plan will be put in place with targets set. This could include students reporting to Deputy Head / Assistant Headteacher every morning and afternoon.
- The plan will be logged on the spreadsheet by the pastoral administrator
- If no improvement the EWO may be contacted for support


## Stage 5

- If there is no improvement in the number of lates the EWO will be involved


## Appendix D: Attendance letters / emails of concern

i. Stage 1 Letter regarding concern over attendance (see attendance strategy)

## Dear Parents/Carers

## RE: Stage One Attendance Letter

I am writing to inform you of my concerns about [student name]'s attendance. Having analysed the attendance figures from, I have found that your child has an attendance rate of [\%]. This is clearly below our target of at least $97 \%$ for each student. It is our legal duty to inform parents of students whose attendance is below our expectations even when we have been made aware of the reasons for these absences. Attendance below $95 \%$ is a cause for concern and if it were to drop to $90 \%$ this would be categorised as persistent absenteeism.

The following information outlines how important good attendance to school is:

Above 97\% - this equals less than 6 days of absence a year, 30 lessons missed

Excellent attendance. These young people will almost certainly get the best grades they can, leading to better prospects for the future. Students will also form positive habits for attendance which will help in the future.

96\% - this equals 7 days of absence a year, 35 lessons missed
These students are likely to achieve good grades and form a habit of attending school regularly. Students who take a 2 week leave of absence every year can only achieve a maximum of 95\% attendance, and will miss 40 lessons.

90\% - this equals 19 days of absence a year, 95 lessons missed
Young people in this group are missing a month of school per year. The Government classes young people in this group as "Persistent Absentees", and it will be almost impossible to keep up with work. Parents of young people in this group could be passed to the Education Welfare Officer with the possibility of legal action being taken by the Local Authority.

We will be working with [student's name] providing intervention and stratergies to support attendance. However, should there be no improvement to attendance we will invite you into school for a meeting and may have to involve the Attendance Service at Cognus who works with families needing support in getting their children to school or who may impose a penalty notice. Only by working together can we ensure that [student's name] attendance improves and they therefore achieve success at school.

We trust that we can rely on your support in this matter

## ii. Stage 2 Letter regarding concern over attendance (see attendance strategy)

Dear Parents/Carers

## RE: Stage Two Attendance Letter

## [Student Name]

Following on from my previous letter, I am writing to inform you of my concerns about [student name]'s attendance. Having analysed the attendance figures from we have found that your child has an attendance rate of [\%]. This is clearly below our target of at least $97 \%$ for each student and is not the improvement we had hoped to see.

It is our legal duty to inform parents of students whose attendance is below our expectations even when we have been made aware of the reasons for these absences. Attendance below $90 \%$ is categorised as persistent absenteeism and is a concern, therefore, parents/carers are requested to attend a meeting at school on [insert date and time] with the Educational Welfare Officer, Head of Year and Assistant Headteacher to discuss this further.

If absence intensifies the school will seek to work with external organisations and the Local Authority to help to remove barriers to school attendance. If this support has not been effective or has not been engaged with the school will work with the Attendance Service at Cognus to put formal support in place in the form of a Stage Three Letter, parenting contract or education supervision order and/or the issue of a Fixed Penalty Notice.

Only by working together can we ensure that [student's name] attendance improves and they therefore achieve success at school.

We trust I can rely on your support in this matter

[^3]
## iii. Letter regarding unauthorised absence

Dear Parents/Carers
(Name of Child) - (Form)
Date of Absence (No. of School Days)

Thank you for your notification dated (date) concerning the above-mentioned school day/s.
I have considered your request but in line with our school Attendance policy I am unable to grant leave of absence on this occasion.

Please refer to our Attendance policy for your information. It can be found on our website here:
http://www.nonsuchschool.org/39/policies
I trust you understand the position the school must take to safeguard the education of our students and that you will uphold our Attendance policy.

If your child is absent on (date), it will be recorded as unauthorised.

Yours sincerely

Headteacher

## iv. Letter regarding unauthorised absence for Holiday abroad or extended period of leave

Dear Parents/Carers
(Name of Child) - (Form)
Date of Absence (No. of School Days)

Further to your request for leave of absence for the above dates, I am writing to inform you that we cannot authorise this absence as it runs counter to our Attendance policy and it is directly before and after an extended break

After two years of disruption to schooling caused by the pandemic, we are only too aware of the negative mental health issues that can occur when young people return after a lengthy period away from school. Anxiety can stem from missing out on formative friendship opportunities and the classroom discussion that aids understanding of content.
Following receipt of this letter, you may wish to contact us for clarification regarding our policy.

As a school we have a safeguarding duty of care to know why students are absent from school. This is even more important if a student is travelling abroad. We expect parents to be open and transparent with the school regarding absences.

Please refer to our Attendance policy for your information, particularly sections 3.3-3.5.
3.3 Request for absence during term time for a family holiday or an extended period of leave will not normally be granted. If the student is absent during this period then the absence will be recorded as unauthorised and the matter will be referred to the London Borough of Sutton's School Attendance Service.
3.4 Local authorities have the power to serve each parent with a Fixed Penalty Notice if a child has five days or more of unauthorised absence in any one term. A penalty notice of $£ 60$ may be imposed per student and per parent/carer. If this is not paid within 21 days of receipt of the notice the cost rises to $£ 120$, which must be paid between 21 and 28 days of receipt of the notice. Further information regarding a Fixed Penalty Notice can be found in Appendix B and on the London Borough of Sutton Website https://www.sutton.qov.uk/downloads/file/3787/penalty notice code of conduct
3.5 Leave of absence will only be granted for an extended period in very exceptional circumstances. Where there are extenuating or compassionate reasons, parents must request leave in writing from the Head including evidence where possible e.g. medical certificate, letter from employers. It is expected that, where possible, such requests will be made at least two weeks in advance.

Our Attendance Policy can be found on our website www.nonsuchschool.org/39/policies.

This absence will therefore be recorded as unauthorised and we will be referring this to the School Attendance Service for consideration of a fine.

I trust you understand the position the school must take to safeguard the education of our students and that you will uphold our Attendance policy.

Yours sincerely

Ms A Cavilla
Headteacher

## v. Letter giving authorisation

Dear Parents/Carers
(Name of Child) - (Form)
Date of Absence (No. of School Days)
Thank you for your notification dated (Date) concerning the above-mentioned school day/s
Under our policy / given the extenuating circumstances, I am authorising (one day's) / (...... days') absence.

Yours sincerely,

Headteacher
vi. Email regarding concern over punctuality

Dear Parents/Carers and Student

Our attendance records show that (Student Name) has been recorded as being late twice this term. The School Policy for attendance, which can be found on our School Website, explains that if a student is late 3 or more times a term without a valid reason they will be put into a 30 -minute detention. We wanted to bring this to your attention and inform you of the situation.

With kind regards

Pastoral Administrator

## Appendix E: $\quad 100 \%$ attendance letter

## Dear Parents/Carers

## RE: Congratulations on 100\% attendance in school

We are writing to congratulate your child on achieving $100 \%$ attendance to school this term. This is an excellent achievement and we would ask you to pass on our congratulations to your child and encourage them to continue to maintain these very high standards of attendance.

Yours sincerely

## Appendix F: Punctuality Report

| Codes Explained |  |
| :---: | :---: |
| Purple | Students who consistently meet our "Exceeding NHSG expectations" (Blue) |
| Blue | Students who, in addition to meeting our expected requirements, are also proactive in any of the following: <br> - regularly undertaking extension tasks <br> - reading beyond the topic <br> - seeking out their teacher for additional help |
| Green | Students meet our high expectations in terms of: <br> - engagement <br> - completing all classwork and homework to a high standard <br> - participation in group work/projects/investigations <br> - behaviour <br> - punctuality <br> - bringing equipment to lessons <br> - meeting deadlines |
| Yellow | Students who fail to meet one or two of our expected criteria (late to lesson = yellow) |
| Orange | Students who consistently fail to meet two or more of our expected criteria. |

## Punctuality Report

Name:<br>Form:<br>Tutor:<br>Head of Year:<br>Week beginning:

|  | Monday | Tuesday | Wednesday | Thursday | Friday |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Signed by HoY AM: | Arrival time: | Arrival time: | Arrival time: | Arrival time: | Arrival time: |
| Period 1 | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): |
| Period 2 | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): |
| Period 3 | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): |
| Period 4 | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): |
| Tutor Time | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): |
| Period 5 | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): | Arrival time: Comment (if necessary): |
| Signed by HoY PM: |  |  |  |  |  |


[^0]:    Policy Notes may be subject to review and revision at any time by the Nonsuch Local Governing Body notwithstanding that the next review date has not been reached.

    Review dates are for guidance only and whilst the intention is always to arrange reviews within the stated time frame all Policy Notes will remain in force until this has taken place and been formally approved by the Nonsuch Local Governing Body.

    Parents / carers will be referred to as parents throughout this document.

[^1]:    ${ }^{1}$ All those defined as a parent under Section 576 Education Act 1996 are parents for the purpose of these provisions. This means that all natural parents, whether they are married or not; any person who, although not a natural parent, has parental responsibility (as defined in the Children Act 1989) for a child or young person; and any person who, although not a natural parent, has care of a child or young person. Having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law. 'Parent' means each and every parent coming within the definition (whether acting jointly or separately) and should not be taken to mean that provisions only apply to 'parent' in the singular.
    As with prosecutions under Section 444 Education Act 1996 a Penalty Notice may be issued to each parent liable for the offence.

[^2]:    ${ }^{2}$ 'Guidance on Education-Related Parenting Contracts, Parenting Orders and Penalty Notices' DIES 2007, p39

[^3]:    Head of Year
    Deputy Headteacher

