“Section 7 of the Education Act 1996 places a duty on parents to ensure that their child of compulsory school age receives suitable education either by regular attendance at school or otherwise.”

Birches Green Infant School bases its attendance Policy on local and National Guidelines.

The Governing Board of Birches Green Infant School believes that ‘every day counts’, Governors have a responsibility to ensure that the school provides a high quality education, ensuring that every child has the opportunity to achieve their full potential. A key factor in achieving this is regular attendance and consistent punctuality.

Attendance impacts on the attainment of pupils. Children should be at School, on time, every day that the school is open, unless the reason for the absence is unavoidable.

**Aims of this Policy**

- To improve the overall attendance of children at school.
- To improve children’s attainment through good attendance
- To encourage parents to ensure that children arrive at school on time.
- To make attendance a priority for all those associated with the school, including parents, pupils, teachers and governors.

To achieve these aims for our pupils we are committed to the following:-

- A welcoming, stimulating and safe learning environment; for all staff to feel happy to come to school to work with pupils, developing them to their full potential.
- High expectations of our pupils and all staff;
- A broad, balanced and relevant curriculum;
- To recognise and celebrate achievements in all areas of school life
- High quality teaching using a variety of teaching strategies
- A range of resources that are effectively used to support and challenge learning
- Provide experiences, which will develop our pupils’ spiritual, moral and cultural understanding
- Support, guidance and training for all those who teach and work with our children
- Foster and maintain links with our wider community.
Legislative Framework

Parents of registered pupils have a legal duty under the Education Act 1996 (sec 444) to ensure that children of compulsory school age attend school on a regular and full-time basis. Permitting unauthorised absence from school is an offence and parents may be reported to the Education Authority if problems cannot be resolved by agreement.

All children, regardless of their circumstances, are entitled to a full time education that is suitable to their age, ability, aptitude and any special education needs they may have. Local Authorities have a duty to establish, as far as it is possible to do so, the identity of children of compulsory school age who are missing education in their area.

Attending school regularly and on time has a position impact on learning, progress and therefore the best life chances for pupils. Research shows that attendance and punctuality are important factors in school success.

At Birches Green Infant School we expect all children to achieve attendance that is at least 97%.

Attendance Partnership Expectations

We expect the following from all our pupils:-

- To attend school regularly
- To arrive on time and appropriately prepared for the day, having eaten breakfast or attend breakfast club.
- To tell a member of staff about any problem or reason that may prevent them from attending school.

We expect the following from parents and carers:-

- To ensure their children attend school regularly and punctually
- To ensure contact is made with school, as soon as is reasonably practical, whenever their child is unable to attend
- To ensure that their children arrived in school well prepared for the school day, having eaten breakfast.

Parents and pupils can expect the following from School:-

- Early contact with parents when a pupil fails to attend school without providing good reason
- Regular, efficient and accurate recording of attendance
- Follow up support if needed
ROLES AND RESPONSIBILITIES

The following people have key responsibilities in the pursuit of high levels of attendance and punctuality:-

Governors

- To set and monitor progress towards annual targets for attendance
- To evaluate the effectiveness of the Attendance Policy

Headteacher

- To ensure that effective systems are in place to accurately record individual pupil, group and whole school attendance patterns.
- To monitor individual pupil, group and whole school attendance and punctuality.
- To decide whether or not to authorise requested periods of absence.
- To make a judgement whether an absence that has not been requested is authorised or unauthorised.
- To provide Governors with information to enable them to evaluate the success of policy and practice.
- To implement Reward Certificates fairly and consistently.
- To enforce the Law regarding school attendance, taking necessary Court action, as required

Class Teacher

- To provide an accurate record of the attendance of each child in their class, completing the register twice daily at the designated times.
- When requested to do so by the Headteacher, to organise work to be sent home for children in their class who are expected to be absent for an extended period through sickness.
- To support pupils with personalised re-integration programmes following an absence.
- Discuss attendance of individuals with Parents at Parents Evening

Office Manager

- To prepare, manage and co-ordinate the use of Attendance data in SIMS.
- To work in partnership with key Agencies if attendance and/or punctuality are an issue, including regular meetings with the Headteacher, School Family Support Worker and CSAWS.
- To write to parents/carers regarding their child’s attendance, at least termly, and more often for those whose attendance is causing concern.
- To arrange meetings with parents/carers to discuss support and set targets for those experiencing attendance difficulties.
- To prepare relevant attendance reports, when requested to do so by the Head teacher or Assistant Head teachers or School Family Support Worker.
O Where Office Staff are not made aware of the reason for a child’s absence they will contact parents/carers by text/telephone call on the first day.

O To ensure that a satisfactory reason for every absence has been established for each child at the end of the week, preparing letters on behalf of the Headteacher where a satisfactory reason has not been established.

O To manage and co-ordinate pupil data for signing in and out using the online signing in screen during the school day.

O To ensure that Fast Track Procedures are implemented in cases where persistent absence exists.

School Family Support Worker

O To support the whole school response to attendance, through regular meetings and the monitoring of individual children’s attendance.

O To work effectively with families to improve educational outcomes of pupils.

O To ensure that Fast Track Procedures are implemented in cases where persistent absence exists.

STRATEGIES FOR IMPROVEMENT

Attendance has a very high profile at Birches Green Infant School and is regularly discussed at assemblies and in classes. Parents are regularly reminded in newsletters, the school website and school meetings about the importance of good attendance and its links to attainment. We work closely with Central School Attendance and Welfare Service (CSAWS) to ensure that Attendance issues are addressed quickly and effectively.

Use of attendance data

All schools must provide their attendance data to the DFE, most schools use their management information systems to send their data via school Census. The figures returned are then published by the DFE as part of the annual publication of school statistics.

We collect, use and store attendance information about our pupils and may receive information about you from your previous school. The information we keep regarding attendance includes name, contact details, attendance records, late records and any relevant medical information.

Where there is cause for concern, this information is shared with CSAWS during regular attendance meetings held at school. CSAWS then follow up attendance concerns with parents and carers on school’s behalf.
First-day calling/text.

If a child is absent from school, parents should contact the school on the first day of absences to inform the school of the reason for absence. Parents are expected to maintain contact with the school throughout the absence.

At 9.10a.m. School registers are checked for any absences where there has been no contact by parents and reason given. School staff will send a text message to parent asking for a reason for the child’s absence from school.

It is imperative that up to date contact numbers and details are provided to School

Schools are required to hold more than one emergency contact per child (KCSIE 2019) Emergency Contact numbers should be provided and updated by the parent with whom the pupil normally resides.

If staff is concerned about a child’s absence or there is no response to text message, they will record the concern on CPOMs and alert colleagues with responsibility for attendance issues.

Illness:

Not all illness requires an absence from school. For minor childhood ailments such as high temperatures, coughs, colds, ear aches, we would not expect children to be absent. However, when a parent makes the assessment that their child is unfit for school they should following the above absence procedure.

It is a school’s decision whether to accept a reason for a child’s absence and whether to authorise that absence. In the majority of cases, a parent’s explanation of their child’s illness can be accepted without question or concern. In circumstances where there are concerns about a child’s attendance or reason for absence, further evidence of a child’s illness may be requested.

School will challenge parents’ statements or seek additional evidence if they have any concerns regarding a child’s attendance.

In fact it is good practice to have clear systems in place to escalate any concerns about high levels of absence due to illness, including agreements about accessing additional services in order to provide appropriate support to pupils, particularly for long term illness.

The types of scenarios when medical evidence may be requested include:-

- Attendance is less than 90%
- The same reasons for absence are frequently repeated
- Where there is a particular medical problem and school may need evidence to seek additional support/provide support.
Medical appointments

Parents should avoid making routine medical appointments and detail appointments during the school day. In the majority of cases, appointments can be made outside of the school day/during the school holidays.

Where appointments have to be taken during the school day, only the time for the appointment and travel to and from will be classed as an authorised absence. Pupils are expected to return to school for the remainder of the day/attend school prior to the appointment.

Parents are required to provide a copy of the appointment letter or card prior to the day of the appointment.

Other reasons for absence must be discussed with the school on each occasion. Notes will not necessarily be accepted as providing valid reasons. The school will following DFE guidance and not authorise absences for shopping, birthdays or child minding.

Religious Observance

School acknowledges the multi-faith nature of British society and recognises that on some occasions, religious festivals may fall outside school holiday periods or weekends and this necessitates a consideration of authorised absence or special leave for religious observant. It is reasonable for a parent to allow their children not to attend school on any day of religious observant if recognised by the parent’s religious body. However, parents are requested to give advance notice to the school if they intend their child to be absence. Religious bodies maybe contacted to verify these occasions.

Leave in Term Time

From 1st September 2013, amendments to the Regulations make clear that Head Teachers may not grant any leave of absence during term time unless there are exceptional circumstances. A “leave in Term Time” letter is sent to all parents/carers at the start of every academic year to inform them that the Head teacher is unable to authorise leave taken in term time except where there are exceptional circumstances. As such, leave in term time will be recorded as unauthorised.

Parents may be fined

Contact with parents/carers will be made via letters, phone calls and home visits as appropriate.

Any legal action required will be taken by the Legal Interview Team.

Pupil with Unauthorised Absence

It is a parents legal responsibility to ensure that their child attends school on time every day that it is open, unless the child is ill, excluded, or there are other exceptional circumstances agreed only by the Head teacher. Any other absence would be classed as unauthorised and would be recorded as so with a ‘O’ code.
If a pupil has a minimum of 20 days (or 40 sessions) unauthorised absence in the previous 12 calendar months the school will begin to implement Fast Track Procedures. This is a legal framework that could result in Parents being taken to court and fined.

School will routinely follow the Fast Track guidelines (see Appendix A) in an effort to reduce persistent absenteeism. It will run in accordance with Local Authority guidance and could lead to legal action.

Where a child has an attendance figure of below 90% and there is evidence that there have been 20 or more sessions (10 school days) of unauthorised absence within the last 12 calendar months, this child would be considered automatically for a ‘Fast Track’ action group.

**Legal action that may be taken includes:**

**Issuing penalty notices:** Each parent receives a penalty notice for each child who has unauthorised absence. The penalty is £60 or £120 depending on how soon payment is made. So, if there are two parents and two children the total penalties could be up to £480. Failure to pay may result in prosecution.

**Taking parents to court for unauthorised absence:** Education Act 1996 Section 444(1) - court can fine each parent up to £1000 per child, order payment of prosecution costs and/or impose a Parenting Order.

**Punctuality:**

It is important that pupils are punctual so that they do not miss out on the beginning of each school day. Children must attend on time to be given a present mark for the session. If a pupil arrives late to school every day, their learning begins to suffer.

Below is a graph showing how being late to school every day over a school year address up to lost learning time.

<table>
<thead>
<tr>
<th>Minutes late per day during the school year</th>
<th>Equals days’ worth of teaching lost in a year</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 mins</td>
<td>3.7 days</td>
</tr>
<tr>
<td>10 mins</td>
<td>7.4 days</td>
</tr>
<tr>
<td>15 mins</td>
<td>11.0 days</td>
</tr>
<tr>
<td>20 mins</td>
<td>14.7 days</td>
</tr>
<tr>
<td>30 mins</td>
<td>22.0 days</td>
</tr>
</tbody>
</table>

Pupils arriving after 8.55a.m will be recorded as late and parents will need to sign their child in using the on-system situated outside the office.
Good Punctuality is also included in the reward system.

To access the most of the school day we ask parents to ensure that their children are on the playground by ten to nine.

The Registers are monitored daily and to identify pupils who are arriving late and regularly late arrival for school will be challenged as not acceptable.

Pupils arriving after close of Registers at 9.10a.m will be recorded as “U” which is classed as an unauthorised absence and will affect their overall attendance percentage.

5 U codes – a letter sent home
10 U codes – Parent/Carers invited to a meeting with CSAWS
20 U Codes – Head teacher will instigate legal proceedings where appropriate using fast track process.

Re-integration of Long Term Absentees

Absence can significantly interrupt the continuity of students learning and positive strategies should be employed to minimise such effects. Class Teachers should ensure that the pupil feels welcomed back to school in an appropriate way and take any necessary steps to support their re-integration.

Attendance, Safeguarding and Children Missing in Education

A child missing from education is a potential indicator of abuse or neglect. School should follow the school’s procedures for dealing with children that go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation and criminal exploitation and to help prevent the risks of their going missing in future.

All schools are required to make the Local Authority aware of every registered pupil who fails to attend school regularly and any children who have been absent from school, where the absence has been treated as unauthorised for a continuous period of not less than 10 school days education (Pupil Registration) (England) Regulations 2006 regulation 12.

Schools are permitted to remove compulsory school aged children from roll on the limited grounds set out in Regulation 8 of the Education (Pupil Registration) (England) (Amendment) Regulations 2016. Removing a child from the school roll is a very important decision.

Children who fall out of the education system are likely to have poor outcomes and may be exposed to increased risk of harm. Schools must follow correct procedures to ensure that they do not breach their legal and safeguarding duties. In September 2016, the Department for Education updated the statutory guidance to reflect the 2016 amendments to the Education (Pupil Registration) (England) 2006 Regulations.
All Schools (including Academies and independent schools) must notify their local authority when they are about to remove a pupil’s name from the school admission register under any of the fifteen grounds listed in the 2006 regulations (as amended).

Schools must make reasonable enquiries to establish the whereabouts of the child jointly with the CME Officer, before deleting the pupil’s name from the register if the deletion is under regulation 8(1), sub-paragraph (f) (iii) and (h) (iii).

This attendance Policy is part of a broader suite of safeguarding policies including the school’s Child Protection Policy and Procedures.

**Late Collections:**

Children should be collected from school by 3.15p.m. Sometimes we appreciate that difficulties arise in parents attending on time to collect their children and in those circumstances a telephone call to the School Office should be made giving the reasons for late collection and an estimated time of arrival.

However, children who are collected late on more than three occasions in one term will in future be subject to a charge of £5.00 payable by the Parent upon receipt of an Invoice from the School. Monies raised will be paid into School Fund. Staffs are not available to care for children after 3.15p.m. and children are required to wait in the entrance foyer. Before and after School provision is available for anyone experiencing regular difficulties and the details for Precious People are available from the School Office upon request.

**Alternative Education Providers**

On rare occasions, a small number of pupils may be accessing an alternative education provider agreed by the School for all or part of their timetabling. In this instance the pupil remains on roll at Birches Green Infant School. Attendance to approved alternative providers is monitored and reflected on school registers. The responsibility of ensuring pupils are safeguarded and receiving appropriate education remains with Birches Green Infant School.

**Registers**

The School uses SIMS Attendance to store and monitor its legal responsibilities in relationship to attendance data. This system consists of specialised software.

Registers are a vital legal document and teachers are required by their contractual duties to take an attendance register at the beginning of both the morning and afternoon sessions. Registers are returned electronically to the School Office after the closure of the registration period.

Registers must be completed carefully and accurately, as they provide a record of a pupil’s attendance. Failure to complete a register accurately leaves the school vulnerable to complaint from parents or carers and constitutes a risk if an emergency evacuation has to take place.
Every half day of absence from school has to be classified by the School as either authorised or unauthorised. Authorised absence can be given only when the Head teacher has either approved in advance for a pupil of compulsory school age to be away, or has accepted an explanation offered afterwards as satisfactory justification for absence. All other absences, including persistent lateness, must be treated as unauthorised.

Absence can only be authorised by a person designated to do so by the Head teacher [see the Education (Pupil Registration) (England) Regulations 2006 (Sl.No.2006/17510-reg 7(1))]

There are procedures in place to resolve unexplained absences within two weeks. School complies with and uses the DFE Compulsory National Attendance Codes to categorise absence.

**MONITORING AND EVALUATION**

Attendance data will be collected regularly reviewed to establish patterns of irregular attendance. This will include children with: incomplete weeks; Monday and Friday absences; lateness; periods of extended absence; periods of unauthorised absence and all children with attendance below 90%. Will be tracked and this data will be discussed with the Family Support Worker as part of the regular meetings.

This policy should be read in conjunction with Safeguarding Policy 2019.

**REVIEW**

This Policy will be reviewed according to the School Policy Review Plan each and every Autumn term except:-

- Where Government or Local Authority changes necessitate an earlier review
- Where a request has come from the Governors or Headteacher

Reviewed_________________________

Signed............................................ Chair of Governors       Dated............................................

Signed............................................ Head Teacher       Dated............................................
Appendix A

Fast Track Procedures

FAST-Track to Attendance

An Early Help approach to improving pupil attendance (includes the process for taking legal action for ongoing unauthorised absence)

September 2018 (updated)

Education Legal Intervention Team (ELIT)

Alternative Provision, Attendance and Independent Education Service

CONTENT

Step by Step Guide

. Step One – Early help 4
. Step Two – The School Attendance Review Meeting 7
. Step Three – The Formal Warning Notice 9
. Step Four – Referral to ELIT/Court Section 10

Introduction

‘FAST-track to Attendance’ is an Early Help approach to improving pupil attendance which also seeks to act quickly where there is unauthorised absence. It is for all schools, academies and alternative providers. There are no specific timelines to follow, the process can be used at a time which is right for the individual pupil (rather than waiting for a ‘campaign’ to start), and schools have only one formal letter they will need to send to each parent.

The process aligns the thresholds for taking legal action for ongoing unauthorised absence with the Local Authority ‘Code of Conduct’ and the Leave in Term Time (Penalty Notice) process.

We know from Department for Education studies into the effects of absence on
pupils’ progress and attainment levels that absence has a statistically significant negative link to attainment – i.e. every extra day missed was associated with a lower attainment outcome. It’s clear from the data that being absent from school for any reason has an impact on a child’s progress in school.

Where schools are concerned about a child’s absence levels, whether absence is authorised or unauthorised, it is important that the school act to improve attendance levels.

In terms of legal action, the Local Authority can only prosecute where there is unauthorised absence. In Birmingham this duty is delegated to the Education Legal Intervention Team (ELIT).

The Birmingham Penalty Notice Code of Conduct states that there must be at least 20 sessions of unauthorised absence within a rolling 12 month calendar period for legal action to be taken.

Schools do not have to attend training to use this process but training is strongly recommended. Details of the training available can be obtained from the Education Legal Intervention Team by emailing ewsheadofficeadministration@birmingham.gov.uk

IMPORTANT INFORMATION. Only unauthorised absence can be used in evidence. This process can only be used for children of compulsory school age.

Please note: Definition of Parent:

A ‘parent’ in relation to any child or young person, includes any person:-

. who is not a parent but who has parental responsibility for the child, or
. who has care of the child

This also includes absent parents who must have regular contact and an ability to influence the child including his/her attendance. Parental partners can be included (whether or not they are married or the natural parent of the child) as they have ‘care of’ the child. If a pupil lives with a grandparent or older sibling as their main carer they can also be included.

Education Act 1996

Before you begin:

- Ensure your registers are being completed accurately
- Inform all parents of their legal responsibilities regarding school attendance by using the whole school ‘School Attendance’ letter – this will boost your attendance. This letter only needs to be sent once per academic year.
  - It is good practice to have this letter as part of your prospectus and induction packs, on your website and school notice board
Ensure the children you are concerned about regarding attendance are placed on the “Children with a Safeguarding vulnerability list” held by the Designated Safeguarding Lead (DSL).

Ensure there is a staff member trained in ‘Early Help’ processes – this is generally the DSL. Appoint a member of staff in the school to complete the process from Step Two Onwards. In most schools this person would usually be an Attendance Officer, Learning Mentor, Assistant Head teacher etc.

For the purposes of this guidance the staff member will be known as the Designated Liaison Person (DLP).

For further clarification, please refer to the ‘Dos and Don’ts section of the FAST-track pack. For examples of individual scenarios please refer to the FAQs which are also part of the pack.

The FAST-track pack can be downloaded via this link:

https://www.birmingham.gov.uk/school-attendance Click on Option 2 for ‘Legal Processes’

Step One – Early Help

Action the school must take before a referral to ELIT can be made

Concerning levels of absence either authorised or unauthorised – (once a year schools should send the ‘School Attendance’ whole school letter to parents by pupil post, email, or by placing it on their website/in their prospectus)

IMPORTANT INFORMATION. This is the Early Help stage of the process. The school’s DSP/DSL or other pastoral staff members trained in Early Help processes would be the appropriate officers to complete this stage. The staff member with operational responsibility for attendance (who we call the ‘Designated Liaison Person’ or DLP) should work together with the DSP/DSL in determining the correct Early Help response.

Before a referral is made to ELIT the school will have applied all school and Early Help resources without success. These must include:

- Placing the child on the ‘Children with a safeguarding vulnerability list’

- Completing the ‘Signs of Safety and Wellbeing’ three houses form with the child/young person (or appropriate equivalent) – this ensures that the voice of the child is heard and must be completed by someone trained in Early Help

- Using the information from the three houses form to initiate one of the Early help outcomes (please see # on next page)
Reviewing pupils with EHC plans and attendance concerns within a six month period prior to starting FAST-track to ensure that the provision is suitable to meet their needs.

Advising parents that they can apply for travel assistance if the home to school distance is more than 2 miles for children up to 8 years, 3 miles for children aged 8 and over (though they are unlikely to receive assistance if they chose the school despite nearer school places).

Where there is already an allocated social worker/family support worker, the intervention will have been in place for at least 6 weeks with little evidence of substantial attendance improvement.

Engagement with families:

In most circumstances, the school should have tried all of the following to try to engage the family:

- Sent a letter to parents from the Head Teacher outlining concerns about attendance (the school can use the sample letter in the pack but it is not compulsory).
- Invited the parents to school for an informal meeting where the following should be explored:
  - Is there an underlying medical condition; are there any health practitioners involved; has the child/young person been taken to see the GP?
  - If there is evidence of a medical condition – have you asked for consent to write to the GP or Consultant to establish the child’s fitness to attend school?
  - If there is no evidence of a medical condition, but there is significant illness absence, has the school asked for medical evidence in order to authorise further illness absence? Before taking this step, make sure you try to meet the parents informally as outlined above to discuss concerns.
  - If the school does request medical evidence, please follow up the request in writing - there is a helpful letter for schools to use in the online FAST-track pack.
- Is an Early Help response needed? (Refer to ‘Right Help, Right Time’ for thresholds).
- Has the school undertaken a home visit if the family did not attend the informal meeting?
Completing the ‘Signs of Safety and Wellbeing’ three houses form (or appropriate equivalent) with the child/young person. (If the child/young person hasn’t attended for several weeks and you cannot complete this stage please indicate on the referral form).

Once the three houses form (or appropriate equivalent) has been completed, there should be one of three Early Help outcomes:

1. initiate simple reasonable adjustments to address the child/young person’s unmet safeguarding needs
2. develop a school focused action plan with child/young person, Parent /carer as appropriate
3. initiate a multiagency Early Help Assessment (EHA) & Our Family Plan (OFP)

If the conversation with the child indicates a serious safeguarding concern under ‘Right Help, Right Time’, schools must follow their child protection procedures.

IMPORTANT INFORMATION. If the family do require Early Help either from the school or via support services such as Think Family or Social Care, you need to give that support time to make a difference - a minimum of six weeks from the start of the intervention at least. If Social Care is already involved with the family, after six weeks it has not resulted in attendance improvement, and there is unauthorised absence, you can move straight to Step Two after informing the allocated worker of the intention. If you are not sure, or Social Care disagree, please contact the ELIT/Court team for advice (464 8979 or ewsheadofficeadministration@birmingham.gov.uk)

Step Two – The School Attendance Review Meeting

The pupil has at least one session of unauthorised absence - Early Help has been refused (this includes ‘no response’ to attempts by the school to engage the family); the circumstances of the family do not meet the threshold for Early Help/Social Care support; Early Help/Social Care strategies have not resulted in sustained attendance improvement

The DLP should call a formal ‘School Attendance Review Meeting’ (SARM) at the school (there is a helpful SARM invitation letter in the online pack you can use or the school can use their own letter if they wish - though previous convictions or penalty notices must not be mentioned or the letter cannot be used in evidence).


The DLP involved should also be the member of staff to conduct the meeting, agree an action plan and send the ‘Formal Warning Notice’ (Step Three) if needed. Preferably, the parents should be invited to the meeting by the DLP separately, in writing, and with at least 7 days’ notice, using the same process as indicated in Step Three for the Formal Warning Notice, with the letters signed then copied, then the
copies retained as evidence. Include the names of all the children in the family attending your school on each letter (no need to send separate letters for each child) but only those who meet the absence threshold (make sure the children included are of compulsory school age).

If the parents are unable to attend a meeting at the school, due, for example, to disability, the meeting can be held at the parents’ home address.

Complete the templated SARM form with the parents. This is the only form which can be used https://www.birmingham.gov.uk/downloads/file/9007/fast-track_sarm_record_sheet

Complete the parents’ details on the form with them, in case any of the details you have in school are incorrect or out of date. Follow the form through and give them a photocopy of the action plan agreed at the end or as soon as possible after the meeting.

If the parents do not attend but request a new date, please rearrange the meeting. However, don’t rearrange more than twice. If they still don’t attend, complete the sheet at the end of the SARM form and keep for future reference.

If the parents do not attend, and do not contact you to say they cannot attend, you do not have to rearrange – just complete the sheet at the end of the SARM form and keep for evidence.

IMPORTANT INFORMATION. You will need to demonstrate that you have given reasonable notice for this meeting, preferably at least 7 days’ written notice. If the school uses its own invitation letter it must not refer to any previous convictions or penalty notices the parents may have received for similar offences. The letter may be used in evidence.

Step Three – The Formal Warning Notice

The pupil has further unauthorised absence since the SARM. Including the recent absences there are now at least 10 sessions of unauthorised absence in total over the previous 12 calendar months

1. Schools should send out a ‘Formal Warning Notice’
   https://www.birmingham.gov.uk/downloads/file/9006/fast-track_formal_warning_notice

2. with a copy of an up to date attendance printout, and the ‘School Attendance (Legal Action) Information for Parents’ leaflet.

3. The school must use this letter and the wording must not be changed under any circumstances. There should be a separate letter sent to each parent in a separate envelope.

4. Address letters using parents’/carers’ full names only, not to the ‘parent/carer of’ or
Mr and Mrs. The names of all the children of compulsory school age in the family attending your school (whose level of attendance hits the threshold) and included during the process can go on each letter (i.e. do not send separate letters re. each individual child). The letter must be signed by the DLP – do not use electronic signatures and letters must not be signed by others on behalf of the DLP (p.p.).

- Enclose an up to date attendance printout and a copy of the ‘School Attendance (Legal Action) - Information for Parents’ leaflet.
- The DLP should copy the signed letters and any enclosures such as the attendance printout before placing in the envelope and retain the copies - this will be their evidence.
- A record of the date the letters were posted, and the precise details of names, address the letters were posted to should also be kept. Letters must be sent by first class post. DO NOT SEND LETTERS VIA RECORDED DELIVERY – parents can refuse to accept them!

IMPORTANT INFORMATION. The school should now monitor the child’s attendance. DO NOT move to Step Four unless, following the SARM, there are at least further 10 sessions of unauthorised absence (see criteria for Step Four for details).

Step Four - Referral to ELIT/Court Section

The pupil has a minimum of 10 further sessions of unauthorised absence since the Formal Warning Notice was issued (in terms of being ‘reasonable’ include a couple of days for postage). This could be, for example, within a 10 day period or 12 school weeks. Please note: referrals will not be accepted if this criteria has not been met. Referrals where the cases were concluded but not submitted to ELIT in a timely manner may also not be accepted.

Schools should complete an ELIT FAST-track referral form online via the link:

https://www.birmingham.gov.uk/LITT-FT-FORM

The referral form asks for information as to Early Help interventions the school have tried. The form may be used in evidence, so must be completed accurately and all questions must be answered. If it is clear that the school have not offered Early Help, the referral will not be accepted.

The school will also need to provide the following attachments which will need to be scanned and attached as one PDF document:

- Copy of the SARM invitation letter
- Copy of either the SARM form or the back page of the form if the parents didn’t attend
- A copy of the Formal Warning Notice which would have been sent to the parents and
included a copy of the child’s attendance printout, and the ‘School Attendance
• (Legal Action) - Information for Parents’ leaflet
• Copies of attendance printouts for the current and previous academic years
• Any relevant medical evidence provided by the parent to the school
• Explanations for when registration codes B, C, D & E were used from the start of
  process (this information can be inputted directly onto the online referral form)

ELIT/Court Section will consider court proceedings under Section 444 of the 1996 Education
Act. In most cases, for a first offence, ELIT will consider issuing a penalty notice to the
parents as a way of discharging the offence. In cases where a penalty notice has already
been issued to the parent, Court proceedings will be initiated via the ‘Single Justice’
procedures.

IMPORTANT INFORMATION. Please DO NOT attach the three houses form or Early Help
assessment (if applicable) to the referral. They are not required and under GDPR should
not be shared without consent.

Parents with previous penalty notices/convictions in relation to
pupil attendance

Please note that following recent legal advice we are currently reviewing the process in
relation to this group of children. Guidance will follow in due course.

If you are working with a family in this scenario, please contact the Education Legal
Intervention Team/Court Section for advice via:

Email: ewsheadofficeadministration@birmingham.gov.uk

Phone: 0121 464 8979