

## SAFEGUARDING

Your child's school has a duty of care for safeguarding your child, they will contact you if they do not receive a call on a daily basis to ensure they know your child is safe.

## SCHOOL ATTENDANCE AND THE LAW

It is parents/carers legal duty to ensure their child regular attendance at school. Regular attendance is defined as *"a child must attend school on every day that the school requires him or her to do so."*

A pupil's unauthorised absence from school could result in one of the following:

**1. Penalty Notice.** The penalty is £80 payable (per parent, per child) within 21 days, rising to £160 if paid between 22 and 28 days. A Penalty Notice is an alternative to prosecution; it does not require a court appearance, but still aims to improve school attendance. Failure to pay may result in prosecution. If a second penalty notice is issued to the same parent for the same pupil within 3 years of the first notice, the second notice is charged at a flat rate of £160 if paid within 28 days. A third penalty notice cannot be issued within a 3 year period instead an alternative legal action would be considered.

**2. A Notice to Improve.** A Notice to Improve is used in cases where support is appropriate and is a final opportunity for a parent to engage in support and improve attendance before a penalty notice is issued. If offers of support have not been engaged with or have not worked, a Notice to Improve should usually be sent to parents. A Notice to Improve is not issued in cases where support is not appropriate i.e term time holiday.

**3. Prosecution.** Under Section 444(1A) of the Education Act 1996. Prosecution could result in a criminal record and fines up to £2500 and/or 3 months imprisonment. Other legal interventions may also be considered.

## HOW DO I CONTACT THE ATTENDANCE AND INCLUSION SERVICE?



attendance@swindon.gov.uk

# SCHOOL ATTENDANCE

## INFORMATION LEAFLET



### *Attendance and Inclusion Service*

Applies from 19<sup>th</sup> August 2024

You and the law on School Attendance  
Education Act 1996 Sections 437-444

### WHY IS GOOD SCHOOL ATTENDANCE IMPORTANT?

- Good school attendance gives your child the opportunity of success and helps develop skills for life. Your child should attend school every day the school is open unless there is an unavoidable cause such as illness.
- Missing school damages a pupil's learning and grades (research shows that missing school often leads to a drop in GCSE grades), disrupts routines and can make children vulnerable to crime.
- Pupils should never miss school for reasons like shopping, birthdays or to wait in for a repair person.
- Missing school can seriously impair learning and affect life opportunities.

### WHAT IF MY CHILD IS ILL?

It can be tricky deciding whether or not to keep your child off school, nursery or playgroup when they're unwell. To help support you making the decision please refer to the NHS website entitled 'Is my child too ill for school?' <https://www.nhs.uk/live-well/is-my-child-too-ill-for-school/>

### WHAT IF I WANT TO GO ON HOLIDAY IN TERM TIME?

Holidays in term time are not authorised unless there are exceptional circumstances. You must complete a **Leave of Absence Request** form and submit this to your child's school. You will be at risk of a penalty notice if you go on holiday in term time and the absence is not authorised.

### WHAT SHOULD I DO IF MY CHILD IS ABSENT FROM SCHOOL?

- Telephone the school as early as possible on the first morning of each absence to give the reason.
- Ensure you follow the school's attendance policy with regard to your child's absence.
- Where possible make routine dentist and doctor appointments after school or during school holidays. If you have to make an appointment during school time, help your child to be at school for most of the day i.e before and after the appointment where possible. Please let the school know about the appointment.
- You may be asked for medical documents or proof of medical appointments if your child is regularly absent due to illness or dental/medical appointments.

### CAN I GET HELP IF MY CHILD IS NOT ATTENDING REGULARLY?

Schools, parents and pupils should always work together with other local partners to understand the barriers to attendance and provide appropriate support. It is very important that you speak with the school at the earliest opportunity if you have any worries at all about securing your child's attendance. Request a meeting with your school's attendance lead. The Swindon Borough Council Attendance and Inclusion Service can also give you advice. Email [attendance@swindon.gov.uk](mailto:attendance@swindon.gov.uk)

### WHAT SHOULD I DO IF MY CHILD IS STRUGGLING TO ATTEND SCHOOL?

- Talk to your child – discuss their barriers to attending school.
- Meet with a member of school staff to discuss the situation and agree an action plan together.
- Set good morning and evening routines.
- Support them to attend on time – arriving late is unsettling for children.
- Contact the Attendance and Inclusion Service for advice (details overleaf).

