1. **Purpose of the Report**

1.1 As Scrutiny are aware there has been an increase in our Persistent Absence (PA) from school at both primary and secondary phases. A definition of PA is found at point 3.3 of this report. This report aims to inform members of Children and Young People’s scrutiny about our statutory responsibilities in regard to attendance and our powers.

1.2 To agree the action points we are implementing to improve the attendance of our children at school.

2. **Parental Responsibility for School Attendance**

2.1 Under Section 7 of the Education Act 1996, the parent is responsible for making sure that their child of compulsory school age receives efficient full-time education that is suitable to the child’s age, ability and aptitude and to any special educational needs the child may have. This can be by regular attendance at school or by education otherwise.

2.2 Compulsory school age is defined as being from age five. A child should attend school from the start of the term commencing on or after his/her fifth birthday. A child continues to be of compulsory school age until the last Friday of June in the school year that they reach the age of sixteen.

2.3 If it appears to the Local Education Authority that a child of compulsory school age is not receiving a suitable education either by regular attendance at school or otherwise, then under Section 437 of the Education Act 1996 the LA begin procedures for issuing a School Attendance Order.

2.4 If a child of compulsory school age who is registered at a school and fails to attend regularly at school then the parent is guilty of an offence under Section 444(1) and 444 (1a)of the Education Act 1996.
2.5 There are some limited defences to these offences:

- The Headteacher authorised the absence.
- The child could not attend because of sickness or 'unavoidable cause' in an emergency. Case law has held that stress arising from bullying, behavioural or mental health difficulties or a 'chaotic lifestyle' should not be considered an 'unavoidable cause'.
- The child was absent on a day exclusively set apart for religious observance.
- The school is outside of the statutory walking distance of the child’s home and the Local Authority has a duty to make travel arrangements in relation to the child under and has failed to discharge that duty.
- The child is not registered at the school and the parents are providing a suitable alternative education.
- The parents’ trade or business requires them to travel from place to place.

3. Definition of absence

3.1 Authorised absence

3.1.1 The school will make the decision that the absence is legitimate/valid.

3.1.2 A school will authorise an absence if:

- the child is too ill to attend and the school accepts this as valid (although if the child is off for long periods the school might ask for proof from the doctor);
- the parent has got the advance permission of the school e.g. for a holiday, religious observation;
- the child has a medical or dental appointment;
- the child is on study leave;
- the child is being educated off-site;
- the child has been excluded;
- An exceptional circumstance e.g. family bereavement.

3.2 Unauthorised absence

3.2.1 The following are reasons that are given for children taking time off school - the Headteacher will decide whether the absence is marked as authorised or
unauthorised. Examples of unauthorised absence are going on holiday or travelling abroad, days off for birthdays, shopping trips, feeling tired, bad weather, non-urgent appointment, and parental illness.

3.3 **Persistent Absence (PA)**

3.3.1 In line with the Education Act 1996, a child of compulsory school age is required to attend school each day and on time, equating to 100% attendance. If a child's attendance falls to 90% and/or below, they are identified by the government and the Local Authority as being persistently absent from school. This is regardless of whether the child's absence is authorised or unauthorised, as a clear correlation between attendance and attainment has been identified.

3.3.2 PA prior to 2011 was set at 20% by Department for Education. A reduction to 15% was directed in 2011, as all Local Authorities required schools to act early in addressing patterns of poor attendance. Statistics showed PA had fallen from 6.8% in 2009-2010 to 4.6% by 2012-2013. In January 2015 Local Authorities were directed to reduce PA from 15% to 10%.

3.3.3 Schools are required to take action to prevent pupils reaching PA, currently 33 sessions of absence by May half term, when they enter their returns to the Local Authority and the Department for Education.

3.3.4 To determine the schools PA level, they are required to divide the number of (PA) pupils, the number (of compulsory school aged children) on roll, then times by 100, equalling their PA%.

3.3.5 We must be mindful that schools with a very small number on roll may/will have a higher PA than schools with higher pupils on roll.

3.3.6 For example;
- A school with **240** children on roll, with **20** PA children, equates to **8.3%** PA
- A school with **1,800** children on roll, with **20** PA children, equates to **1.1%** PA.

Table 1

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4.1 Despite an increase in PA overall school attendance in Royal Greenwich remains above the national average between 2012 and 2018.

Table 2

- Persistent Absence rates in Royal Greenwich Secondary Schools

- Ranked 51st for Primary and 74th for Secondary nationally in 2017/18

*provisional
5. **The Attendance Advisory Service**

5.1 The Attendance Advisory service sits within Inclusion, Learning and Achievement and is tasked with the monitoring and improvement of attendance rates in our schools. The service works with all maintained schools and is commissioned by a number of academies.
5.2 The team consists of a team leader (who manages the service and leads on court work), two 0.5 assistant team leaders, three full time attendance officers, three term time only attendance officers, two 0.5 attendance officers, the Elective Home Education officer, the Child Missing Education officer and a part-time admin support worker.

6. In our thinking about why there might have been an increase in Persistent Absence, the following has been discussed:

- Exclusions have increased both nationally and locally over the last 3 years. The rate of fixed term exclusion in Greenwich continues to be higher than other London boroughs. What contribution does exclusion make to the overall level of PA?
- Stretched school budgets have led to a reduction in support and pastoral staff in some schools – does reduced support for vulnerable children lead to greater amounts of time out of school?
- What affect is the increasing level of deprivation, faced by some families, on regular school attendance e.g Housing / Mobility – Temporary Accommodation, use of food banks, period poverty, lack of uniform etc.
- Role of the Attendance Advisory Service, procedures and processes used, training provided both to attendance officers and the training programmes for attendance staff in our schools.
- How Attendance interfaces maximise the Early Help service to better support some families.
- Are we making maximum use of our statutory powers? How effective is it for us to issue penalty notices or to prosecute?

7. Actions the Attendance Advisory Service has taken?

7.1 Used their legal powers

7.1.1 The Education Act 1996 allows the local authority to prosecute parents for failing to ensure the child attends school regularly. It also allows the local authority to issue penalty notices to parents as an alternative to prosecution. A penalty notice requires the parent(s) to pay a fixed amount as a fine for their child's irregular attendance and avoid a court appearance. The fine is £60 to be paid within 21 days. The 21 day period begins 2 days after the date shown on the Penalty Notice. If the fine isn't paid within 21 days, it rises to £120 for a further 7 days. If it is still not paid, the matter may be sent for prosecution (not for the unpaid fine but the original offence).
7.1.2 Number of Prosecutions 2016-2017= 141
  Number of prosecutions 2017-2018=152

7.1.3 In 2016-2017 186 penalty notices were issued, of which 63 of these were referred to Magistrates Court.

7.1.4 In 2017-2018 238 penalty notices were issued of which 110 were referred to Magistrates Court.

7.2 **More effective use of Data**

7.2.1 Based on the 2016-2017 PA data, the Attendance Advisory service identified any primary school with a PA level above 8.7% as being in the neediest category of support and rated them as a RED school. This meant that the Attendance Advisory Officers would increase the level of service delivery and look deeper at what the causes for absence were, and the schools practice and procedures/attendance policy.

7.2.2 There were 29 RED primary schools. All of these schools were written to regarding their persistent absence and requested to reduce their PA by 2% to 5% and complete a school attendance action plan showing how this was going to be achieved. Support was then given.

7.2.3 8.6% was the national primary PA 2016-2017; all schools between 5.1% and 8.6% were rag rated as AMBER primary schools. There were 21 schools identified as AMBER. This indicated that the schools were doing ok, but still needed regular visits and their attendance strategies reviewed.

7.2.4 5% PA and below schools were rag rated as GREEN. There were 13 green primary schools; it was decided that these school would have a named Attendance Advisory Officer who would visit as and when the school had attendance concerns, or once a term. Schools would provide attendance data every 6 weeks in order for on-going monitoring to be maintained.

7.2.5 By doing this it allowed officers to focus more of their time on the RED and AMBER Schools.
7.2.6 Secondary Schools were also rag rated; the service delivery was based on need in a similar way to the primary schools.

There were:
- 10 secondary schools rated as RED with PA above 9.6%
- secondary schools rated AMBER with PA between 6.5% and 9.5%
- secondary schools rated Green with PA below 5%.

7.2.7 Attendance Advisory Officers also analysed their school attendance data for the first and second halves of autumn terms. There was evidence that showed between October and December there were high levels of absence. Code analysis identified a large increase in absence was due to illness. Health authorities stated that the mild weather for the time of year had impacted on this.

7.2.8 The Attendance Advisory Officers used supervision to identify school issues and attendance practice, these schools were targeted with training and deep dives (intensive register and attendance practice audits).

7.2.9 Team managers and Attendance Advisory Officers identified a number of schools that needed further advice and training; these sessions were carried out during the officer’s allocation times. The schools with the most serious need based on their attendance data had visits carried out where register audits and data analysis were conducted. A number of schools were incorrectly coding pupil’s attendance/absence; this impacted on the schools overall attendance, and their attendance procedures referral process. A report was provided to the school giving a summary of need on how to make the changes and improve their attendance.

7.3 Code analysis

7.3.1 Schools have been supported to better use attendance data and code analysis reports to identify the reasons for absence. This is beneficial for overall attendance and enables a more targeted response. For example:

- The high level of ‘E’ code (authorised absence) for Exclusions;
  - Looking at what other strategies and resources can be used prior to a physical off site exclusion.

- The ‘M’ code (authorised absence) for medical appointments;
  - Does a child need to be absent all day if their appointment is in the afternoon, emphasising that the morning would be an unauthorised absence would prompt the parent/ carer to bring the child to school.
• The ‘C’ code (authorised absence) is used for absence due to exceptional circumstances.
  o It can used too often by schools when they are not sure how to code an absence or when they are unsure for how long the absence should be authorised. This is an exceptional circumstance code, and should only be used for one day at a time based on the reason for absence i.e. a funeral.

• The ‘G’ code (unauthorised holiday in term time)
  o There is a high number of absences recorded with the ‘G’ code, this is due to families going on holiday in term time or at the start or finish of a holiday and taking additional days off in the school term. The current procedure would be for the Attendance Advisory Officer to take a referral, and issue a Court Warning /Penalty Notice Warning letter. If the child had a good attendance level prior to the holiday and then good attendance on their return the Penalty Notice would not be issued – therefore there is no consequence to taking a child out of school for a holiday in term time. Many other Local Authorities’ issue a Penalty Notice for 5 days unauthorised absence Greenwich currently does not.

7.4 Practice and procedures

7.4.1 The service tries to work as efficiently and effectively as possible in order to cover all maintained schools, and Academies (with Service Level Agreements);

7.4.2 Our work with schools has enabled them to undertake more pro-active and productive pre-referral work with children whose attendance is between 90% - 95%. This included;

  • Working with schools to ensure that they take ownership of their attendance.
  • Clear guidance provided on appropriate school action to undertake to address absence.
  • Clear guidance provided to all schools, including academies and independent schools, on school action to address Children Missing Education.
  • Further promotion of Fast Track ensuring schools take timely action to address and improve attendance.

ITEM NO: 10
• Schools are supported to identify what child and family support could be provided in order to prevent absence before making a referral to the Attendance Advisory Service;
• Schools are supported in identifying if families need an Early Help referral or if the child needs to be referred to CAMHS, Educational Psychology (EP) services or other services.

7.4.3 When all/some of these are actioned, Attendance Advisory Officers are able to receive a referral and progress a case quicker to either assist in the improvement of attendance, a Penalty Notice being issued and/or a case being referred to Magistrates Court.

8. **Moving Forward Actions for 2018-19**

8.1 Many of the actions taken in 2017 – 18 will continue as these need to be embedded in both the LA and school’s work and we need to be able to measure the impact of this work. It is vital that schools recognise the importance of good attendance and that attendance is everyone’s responsibility. We will disseminate best practice to enable learning from each other and through established networks bring learning back into the borough from other LAs. Training sessions for schools will be run as appropriate.

8.2 We will continue to RAG rate our schools and deliver a more intensive service in those which are ‘red’. The ‘red’ schools will again be asked to produce a specific focused action plan to reduce their level of PA and we will support our schools to achieve this. We will use the six weekly data returns to further direct our interventions.

8.3 Further to this we will analysis the impact of the use of penalty notices and prosecution to see whether there is a direct correlation with an increase in attendance levels and for how long this is maintained. We will also reconsider the use of penalty notices for any term time holiday (we will seek information from other boroughs as to the effectiveness of this action).

8.4 The local authority is going to explore its powers of carrying out register audits for schools which do not purchase our service. It is hoped that this will be seen as a supportive action whereby we can provide schools with information as to how they could improve attendance levels and tackle PA and to inform them of the services that the local authority could provide as a commissioned service.

8.5 For some children and young people we know that persistent absence is linked to exclusion due to behaviour that challenges or because of difficult family
circumstances so the Attendance service will work on developing their links with the behaviour team and the Early Help service to ensure that the skills and strategies of others are effectively employed, with a seamless interface between services.

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