

# Attendance Connections

## Common Errors to Avoid

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# Welcome & Session Overview

- Capturing holiday evidence from social media
- Headteacher's signature on attendance certificates – legal requirements
- Coding unauthorised absences – consideration of the reasons for leave
- NTI and PN Requests - common errors

Please see our Attendance Connections page on Schoolsnet for previous weeks' content and resources

# Using Social Media as Evidence for a Holiday Absence

The Regulation of Investigatory Powers Act 2000 ("RIPA") applies to local authorities and covers the use of surveillance that is likely to result in obtaining private information about a person. Surveillance includes monitoring, observing or listening to persons, their movements, conversations or other activities and communications. The use of surveillance by a public authority is regulated to ensure that a person's right to respect for their private and family life is not breached.



# Using Social Media as Evidence for a Holiday Absence

## Role of Social Media Evidence

Social media posts can provide valuable evidence in attendance investigations when **properly identified and used**.

## Evidence Integrity and Storage

Proper capture and secure storage of social media evidence is critical to maintain its legal admissibility.

## Staff Training Importance

Training staff to identify relevant social media content and document it professionally ensures effective evidence use.



# Advice and Guidance

- A one-off check of an open/public social media page is unlikely to result in the obtaining of private information. However, the process of "following" or sending a "friend request" in order to access a restricted page is likely to fall under the definition of directed surveillance. In those circumstances, an authorisation would be required. **The reality is that an authorisation is unlikely to be granted for a school non-attendance offence.**
- The regular checking of a person's account could also fall under the requirements of RIPA so schools **should not** be regularly/persistently checking parents, even if the social media page is a public one.
- Only public posts should be viewed and schools should know when they view a parent's profile **it is recorded** and they can come up in the parent's "suggested friend" list. Staff should not use their personal accounts for such checks.
- If a member of staff views a post and takes a screenshot, they will need to prepare a statement exhibiting the screenshot and giving full details of how, when and why they viewed the post.





# Capturing Evidence

- Use the school's social media log in if you choose to search for public posts by parents for a one-off check.
- Do not use a staff member's personal account, even if they are connected to the parent(s) e.g. friends on Facebook.
- Do not search the pupils' own social media accounts.
- Consider whether the post is suitable to capture e.g. do not capture any pictures in swimwear etc. **Think safeguarding!**
- The person who saw the information would need to write their own witness statement in addition to the main one about the absence.
- Schools must contact the parent(s) to let them know that they have been informed that the parent(s) have been on holiday rather than the pupil being absent due to illness. Inform parents that the absence will be unauthorised and a penalty notice will be requested. Give the parents 7 days to respond before submitting the request on the Capita Module.

# Headteacher's Signature – Legal Requirement

## Legal Validity of Signature

Attendance certificates require the Headteacher's signature to be legally valid under education regulations.

## Risks of Delegating Signature

Allowing administrative staff to sign documents can compromise their legal standing and validity.

## Accountability and Compliance

Ensuring only authorised personnel sign legal documents reinforces accountability and statutory compliance.



## Why the Headteacher's Signature is Required

For prosecutions under Section 444 of the Education Act 1996, the attendance certificate is a key piece of evidence proving a pupil's absence record. While the law does not explicitly state that the Headteacher must sign, courts and local authority legal frameworks require this signature to confirm the authenticity and accuracy of the school's register. An unsigned certificate may be challenged or deemed inadmissible in court, so it is essential that the Headteacher (or a named delegated officer in policy) signs all attendance certificates used in legal proceedings.

**We require  
Headteachers to sign  
the attendance  
certificate for NTI and  
PN requests**

**If a Headteacher is unavailable on  
the day, the acting head can sign it.  
Please include this in the witness  
statement**

# Clarifying the Unauthorised G Code

## Purpose of G Code

The G code marks unauthorised **holidays** or absences for **leisure-related** purposes.

When parents give reasons for absence that are not for these purposes, e.g. for visiting ill relatives or for other sensitive reasons, parents can often feel that the G code gives the wrong impression for their absence.

Often schools will continue to unauthorise with the G code, as:

- they feel that the parents are going on holiday, too
- They do not need to request an NTI for the absence but can request a penalty notice straight away

## Clear Communication with Parents

Parents must be informed clearly about unauthorised absence status **and how it will be coded** to avoid misunderstandings and allow for schools to ensure that they can prove that they were clear with their decision.

## Supporting Legal Enforcement

Proper use of codes and clear rationale helps support legal enforcement of attendance policies.

### Code G: Holiday not granted by the school

394. The school has not granted a leave of absence and the pupil is absent for the purpose of a holiday.

395. A school cannot grant a leave of absence retrospectively. If the parent did not apply in advance, leave of absence should not be granted.

### Code O: Absent in **other** or unknown circumstances

400. Where no reason for absence is established or the **school is not satisfied that the reason given is one that would be recorded using one of the codes** statistically classified as authorised.

# Common Issues Identified in FPN Requests

## Attendance Certificate Issues

- Not signed and dated by the Headteacher (*see earlier slide*)
- Missing pupil's name and date of birth
- Does not cover the final date of absence
- No return mark after G-coded absence
- G codes not matching start/end dates of absence

## Documentation & Correspondence

- Missing pages from school response letters; sender not identifiable
- Letters not addressed to parents by name (e.g. "parents/carers")
- No evidence parents were warned of penalty fines (£160/£80)
- Request for FPN for both parents when only one was addressed (or vice versa)
- No evidence that reasons given by parents for absence were investigated
- No evidence of support offered during unauthorised absences (including NTI monitoring period)

## Parent & Carer Details

- Incorrect spelling or use of capital letters in names
- Address mismatches between documents and correspondence
- Relationship details not checked or justified
- All parents who were on the holiday must be included or justified in the Additional Information section

## Additional Information Section

- Must clarify any discrepancies or missing evidence
- Justify inclusion/exclusion of parents
- Explain any differences in addresses or relationships



## STATEMENT OF [REDACTED]

Age of witness (if over 18, enter [REDACTED])

The number of pages is for the witness statement only.

This statement (consisting of 2 pages) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signed: [REDACTED] (Witness) Date: [REDACTED]

I am the [REDACTED] employed by [REDACTED], based at [REDACTED]. I am authorised to make this statement on behalf of [REDACTED] and do so from my own knowledge unless otherwise indicated.

Number of years is sufficient as the DOB is included.

I can confirm that [REDACTED] is aged 14 years (DOB [REDACTED]) and is a registered pupil at [REDACTED] School.

From our records, [REDACTED] lives with [REDACTED] (Mother) at [REDACTED]. They live approximately 0.2 miles from the school.

1 decimal is sufficient for mileage

The [REDACTED] School's attendance policy is attached as exhibit 01. It defines regular attendance as: *We will expect every pupil to attend*

# Witness Statement Feedback

## Consistency in Date Formats

Use uniform date formats including the year to maintain clarity and consistency across statements.

## Completeness of Information

Include full names of parents or carers and specify mileage to one decimal place for precision.

## Accurate Exhibit Numbering

Ensure exhibit numbers are updated accurately to avoid discrepancies in witness statements.

## Proper Signatures and Dates

All required sections must be signed and dated to ensure statements are legally valid.

Available here: [Attendance Connections](#)

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# Common Gaps in Attendance Policies

## Unclear Attendance Expectations

Many policies lack clear definitions for attendance expectations and registration times, causing confusion.

## Missing Legal References

Updated fine amounts and penalty notice rules effective from September 2024 are often omitted in policies.

## Record Retention Requirements

Policies must ensure electronic attendance registers are properly retained for six years to meet regulations.

## Escalation Procedures

Clear escalation processes involving Notices to Improve help enforce attendance rules effectively.

# Correspondence with Parents/Carers



## Clear and Professional Letters

Correspondence with parents must be clear, professional, and legally sound, using accessible language.

## Proper Addressing and Details

Letters should be addressed to named individuals and include date, address, and delivery information.

## Signature and Authorisation

The Headteacher or designated officer must sign the correspondence to authenticate the letter. Designated officers must be named in the attendance policy.