

Paperwork Checklist for All Legal Disposals

Following the new legislation of the 'Working Together to Improve School Attendance' (2024), this guidance reflects the DfE guidance and GCC Code of Conduct for issuing penalty notices to support schools with all legal disposals, including Notices to Improve, Penalty Notices and 444(1) and 444(1A) cases under the Education Act 1996.

Attendance Policies

Page 15 of the *WTT/SA* (2024) document states: To ensure all leaders, staff, pupils, and parents understand these expectations, all schools are expected to have a clear, written school attendance policy based on the expectations set out in this guidance.

- The attendance and punctuality expectations of pupils and parents including start and close of the day, register closing times and the processes for requesting leaves of absence

Legal Intervention Non-negotiables

- Have you a clear definition of attendance e.g., We expect all pupils to attend every session of every day that the school is open to them?
- Are your registration times clearly identifiable, with equal lengths of time for am and pm registration periods (that are no longer than 30 mins) (*WTT/SA*, page 19)?
- Is your pm registration period after a significant break e.g., lunch time?
- Have you defined how and when parents/carers must inform you of unexpected absence?
- Have you defined what a parent means under the Education Act 1996?
- Have you clearly shown how absences will be marked as L and U?
- Have you given a definition of exceptional circumstances where an absence may be authorised?
- Do you reference the new fine amounts from September 2024? N.B. penalty notices issued to parents of children seen in a public place within 5 days following an exclusion from school are still set at £60/£120 and are not subject to the rolling three-year period.
- Have you referenced penalty notices and the criteria for meeting them for G-coded absences and for U and O coded absences?
- Does the policy explain there is no option to pay a second penalty notice issued within a rolling three-year period at the lower amount?
- Have you informed parents that if the national threshold is met for a third (or subsequent) time within 3 years, the Local Authority will consider prosecution through the magistrates' court under Section 444(1) of the Education Act 1996?
- Have you referenced Notices to Improve and the potential escalation to a penalty notice should there be no improvement with attendance within the improvement period?
- Is your most recent policy on the school's website?

Best Practice

These are common errors in schools' policies but does not impact on GCC's ability to follow legal disposals:

- The name and contact details of the school's Senior Attendance Champion.
- Information and contact details of the school staff who pupils and parents should contact about attendance on a day-to-day basis (such as a form tutor, attendance officer etc) and for more detailed support on attendance (such as a head of year, pastoral lead or family liaison officer etc.).

- Is the name and contact details for the Attendance Champion of your school listed and up to date?
- Are the name(s) and contact details of the Attendance Officers of your school listed and up to date?
- Have you referred to the electronic attendance register you will use (WTT/SA, page 17)?
- Have you stated that the entries be kept for 6 years after the date on which the entry was made (WTT/SA, page 17)?

- The school's day to day processes for managing attendance, for example first day calling and processes to follow up on unexplained absence.
- How the school is promoting and incentivising good attendance.
- The school's strategy for using data to target attendance improvement efforts to the pupils or pupil cohorts who need it most.
- The school's strategy for reducing persistent and severe absence, including how access to wider support services will be provided to remove the barriers to attendance and when support will be formalised in conjunction with the local authority

- Have you a clear plan of how attendance concerns will be addressed and by whom?
- Have you provided a link to the GCC Attendance pages?
<https://www.goucestershire.gov.uk/education-and-learning/school-attendance-and-exclusions-and-welfare/>

- Details of the National Framework for Penalty Notices and when Notices to Improve, penalty notices or other legal interventions will be sought if support is not appropriate (e.g. for a holiday in term time), not successful, or not engaged with.

- Have you ensured that your policy states that the Headteacher will request the local authority to issue penalty notices? N.B. in Gloucestershire, only the local authority may issue attendance penalty notices. Consider including the link to GCC Attendance pages to reference this: <https://www.goucestershire.gov.uk/media/hn1afkus/gcc-pn-code-of-conduct.pdf>
- Where applicable, have you stated whether another member of the attendance team has been designated the authority to agree or decline absence requests made by

Attendance Certificates

Attendance certificates show when the offences have taken place. N.B. Should a case proceed to court, all the supporting evidence may be made public record.

Legal Intervention Non-negotiables

- Does it show the child's name and DOB?
- Has the attendance certificate been checked, signed and dated by the Headteacher, or by another designated officer in the school? N.B. another designated officer must be recorded as such in your attendance policy.
- For penalty notices**, does it show the first and last dates of the G-coded absence?
- For penalty notices**, is there a present mark following the G-coded absence?
- For Notices to Improve and other unauthorised absences for a penalty notice**, are there at least 10 unauthorised absences within 10 weeks? You can send the year's attendance policy, and previous years should the absences cross different academic years e.g., for absences in July 2025 and September 2025.

Best Practice

- Has contact information about the parents/carers of the child been removed?
- Have notes about the absences (usually found on certificates generated by Sims) been removed/checked for public view?
- Have N codes changed within 5 days to appropriate code?

Absence request forms, meeting notes and correspondence with parents/carers, and other professionals

All correspondence to parents should demonstrate clear and accessible English, and schools should also provide copies of any translated correspondence, when necessary. Preferably, parents/carers should receive individual copies of letters and emails, but some schools choose to send one copy to parents/carers where they know the parents/carers are living together and share responsibility for their children.

Schools should avoid sending correspondence to 'Dear Parents/carers' and all letters and emails should clearly show the individual names of the parents/carers, the address to which the letter or email was sent and the date. N.B. A PDF version of sent emails are acceptable but must show the email address to which it was sent to and the time and date it was delivered. Letters should be signed by the Headteacher, unless another designated officer in the school is listed as having this authority in the attendance policy.

For G-coded absences, letters should include factual information and be tailored to show that the Headteacher has considered the reasons for the absence taking place and why the absence will be recorded as an unauthorised holiday. This is particularly important if the reason parents give for requesting absence is not obviously holiday related

Should schools consider legal intervention, including AIMs, Notices to Improve or Penalty Notices (other than for solely G coded absences), parents/carers must be informed prior to requesting legal intervention from the local authority.

Further support may be found on Schoolsnet: <https://www.goucestershire.gov.uk/schoolsnet/your-pupils/attendance/>