

TITLE OF REPORT: **Gateshead's Attendance Strategy**

REPORT OF: **Alison Elliott, Interim Strategic Director, Care, Wellbeing and Learning**

Purpose of the Report

1. This report seeks approval for the revised Attendance Strategy 2016-2020.

Background

2. This strategy provides an overarching framework to support schools, children, young people and their families in promoting good attendance in schools. This is Gateshead's third Attendance Strategy.
3. This strategy supports the Council Plan 2015-20 and the Council's Vision 2030 and in particular the outcomes identified for children and young people:

'Local people realising their full potential, enjoying the best quality of life in a healthy, equal, safe, prosperous and sustainable Gateshead'

4. The Council Plan 2015-20 also recognises the 'inequality in educational achievement' and the need to safeguard children and young people while working towards a reduction in the educational attainment gap between disadvantaged pupils and other pupils in Gateshead.
5. Finally this strategy supports Children Gateshead 2014-17 focus education-opportunity and achievement for all, including working with schools, children and their families to ensure the best educational provision is available and that children and young people access this provision.
6. The Council recognises that it cannot meet this challenge alone and must work closely and in partnership with all those who have a stake in the education of the children, young people and their families in Gateshead.

Proposal

7. It is proposed that the Attendance Strategy is approved.

Recommendations

8. It is recommended that Cabinet approves the Attendance Strategy and Penalty Notice-Code of Conduct 2016-20 as set out in Appendix 2.

For the following reason:

To enable the Council and its partners to agree an effective strategy to promote good attendance and address issues of non-attendance in schools and academies in Gateshead.

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APPENDIX 1

Policy Context

1. This strategy supports the Council Plan 2015-20 and the Council's Vision 2030 and in particular the outcomes identified for children and young people:
'Local people realising their full potential, enjoying the best quality of life in a healthy, equal, safe, prosperous and sustainable Gateshead'
2. The Council Plan 2015-20 also recognises the 'inequality in educational achievement' and the need to safeguard children and young people while working towards a reduction in the educational attainment gap between disadvantaged pupils and other pupils in Gateshead.
3. Finally this strategy supports Children Gateshead 2014-17 focus education-opportunity and achievement for all, including working with schools, children and their families to ensure the best educational provision is available and that children and young people access this provision.

Background

4. *'Improving Attendance at School'*, Charlie Taylor's 2012 report into attendance highlights the link between poor attendance at school and lower attainment. Of the pupils who miss more than 50 percent of school, he reports, only 3 percent manage to achieve five or more GCSEs at grades A* to C including Maths and English in comparison to 73 percent of pupils who have attendance over 95 per cent who go on to achieve five or more GCSEs at grades A* to C.
5. Validated figures show that overall absence rates have been decreasing, due to a downward trend in authorised absences; 5.5% in 2006/7 compared with 3.5% in 2013/14.
6. Data also shows that the number of pupils who are considered to be persistent absences (PA) has decreased from 6.8% in 2009/10 to 3.6% on 2013/14.
7. Although attendance has improved steadily over the past few years Charlie Taylors report says that 57 million days of school were missed. Evidence shows that children with poor attendance are unlikely to succeed academically and they are more likely to end up becoming NEET that is 'not in education, employment or training' when they leave school.
8. Despite improvements in attendance there remain a small number of children and young people who are persistently absent (PA) from school. Currently a persistent absentee is defined as 'any pupil who has been absent (authorised or unauthorised) from more than 23 missed days or 46 pupil sessions amounting to 15% of the average school calendar. In 2011 the threshold defining a persistent absence pupil was lowered from those children and young people who missed more than 20 per cent of school in one term to those who miss 15 per cent of school in one term. The change was made to ensure that children and young people who are having

problems are identified at an earlier stage. From September 2015 the threshold was again lowered and now a pupil is deemed to be persistently absent if their attendance is 90% or less which equates to 19 missed days or 38 pupil sessions.

9. As they move through the school system (primary into secondary school) the number of children who are persistently absent grows which in turn results in there being a significant number of persistently absent young people in the final years of secondary school. Often these are the young people who are disillusioned with and disaffected from school and who stop attending. By the time young people enter their mid-teens it becomes increasingly more difficult for parents and schools to get those who are absent to attend.
10. In addition to disaffection there are well known links between truancy, street crime and anti-social behaviour.
11. The government sees reducing absence from school as a priority and has made it a key aim of their 'Troubled Families' agenda (Families Gateshead).
12. Working in partnership with schools, academies, health, the voluntary sector and council services we have seen a steady improvement in attendance in our schools and academies. Secondary school attendance has increased from 89.32% in 1999 to 94.45 in 2014/15. Primary school attendance has improved from 93.80% to 96.18% in the same time period.
13. In 2006 the Council agreed our previous attendance strategy 'Every Day Counts'. This was revised in 2012 to cover the period from 2013-2017. Due to changes in legislation we have revised the current strategy again to take into consideration these changes. This strategy is founded on an ethos of partnership working with our schools, academies, partners and stakeholders. It builds on our existing good practice and incorporates changes in government guidance and legislation.

Role of the Council

14. The Local Authority has a duty to ensure parents fulfil their legal responsibility in respect of their child's education. This is usually through attendance at school.
 - The Education Support Service (ESS) will take the lead role on behalf of schools in utilising the increased number of legal powers available to address poor school attendance.
 - The Council will promote the importance of good attendance and avoiding term time holidays through publicity materials and the media.
 - The ESS will continue to support children and young people with complex needs through the fortnightly School Attendance Panel and Transfer Meetings and monthly Pupil Placement Panel and Primary Fair Access Panel as and when appropriate.

Role of schools and academies

15. Schools have a statutory duty under section 175 of the Education Act 2002 to safeguard and promote the welfare of children. This can only be fulfilled through effective registration systems and active, whole school monitoring of pupil absence, in order to support and promote regular school attendance.

- In September 2006 **national absence codes** were published and since then schools must not adopt their own codes or change the meaning of existing codes.
- All schools and academies should have a **whole school attendance policy**, including a staged response which sets out how attendance is managed and what monitoring systems are in place. The headteacher should take responsibility for attendance, actively supported by every member of staff and endorsed and monitored by the governing body. Parents/carers should be informed of the school's stage response systems.
- Each governing body should nominate **one governor** to take a monitoring responsibility for attendance issues. Other governors may also play a more active role in monitoring individual cases where this is part of the school's attendance policy.
- All schools and academies should operate **First Day absence** procedures to ensure that parents are aware when their child is not in school.
- Schools and academies are responsible **for monitoring** the attendance of their children and/or young people who are placed on **alternative provision**.
- Primary and secondary schools and academies are part of the **Fair Access Protocols** which are implemented through the primary Fair Access Panel and secondary Pupil Placement Panel and this process should be considered when specific issues might be seen to prohibit a child or young person from attending school. Where the Panel deems this is the case a child or young person may be moved to another school/academy through a managed move or as a hard to place pupil in an effort to improve their attendance.

Role of parents/carers and pupils

16. 'Under section 7 of the Education Act 1996 parents/carers are responsible for making sure that their children of compulsory school age receive 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, alternative provision, or by education otherwise' (Guidance on Education Related Parenting Contracts, Parenting Orders and Penalty Notices DCSF 2007).
17. Parents/carers are responsible for ensuring their child attends school regularly. Parents are expected to report their child's absence from school on the first day of absence and to confirm the reason in writing on their child's return to school. Where there are concerns about a pupil's attendance parents/carers are expected to work with school staff and other services to address these concerns.
18. Pupils are expected to attend and stay in school. Where there are issues that may affect their attendance, pupils are expected to discuss these matters with their parents/carers or a member of school staff.
19. If a parent requests a transfer to a new school, it is the parents' responsibility to ensure that their child continues to attend their current school until a place is available at another school.

20. In general, good practice would suggest that schools should expect pupils to remain on site at lunchtimes unless the parent/carer has confirmed that the child will return home for lunch.
21. Parents/carers are expected to support school attendance by avoiding family holidays during term time. Headteachers can only authorise Leave of Absence from school in exceptional circumstances; a cheap holiday is not considered an exceptional circumstance by the DfE. Headteachers can ask the LA to issue a penalty notice for holidays taken during term time when all the criteria are met.

Role of other agencies

22. The EWS works closely with a range of agencies to address school attendance issues. In addition protocols with other Council services and the health services help to identify any children or young people who do not have a school place and refer them on to the ESS. The Youth Offending Team (YOT), Family Intervention Team (FIT) also identifies school attendance issues and work actively to resolve them.

Legal powers

23. If a parent fails to ensure that their child attends school regularly, the Council has the power to take legal action against them in the Magistrates Court or to apply for an Education Supervision Order in the Family Proceedings Court.
21. Around 50 cases go to court each year under Sections 444(1) and 444(1A) of the Education Act 1996. Section 23 of the Anti-social Behaviour Act 2003 introduced penalty notices as an alternative to prosecution. Parents may discharge potential liability for conviction for an offence under section 444(1) by paying a penalty. Parenting contracts are also recommended as a means of supporting parents and avoiding the need for legal action.
22. Gateshead Council uses a 6 week case management system to allow parents an opportunity to improve their child(ren) attendance before consideration is given for legal action to be taken for non-attendance. This involves the setting of targets for pupil attendance, which if not met can result in the prosecution of parents or the issuing of a Penalty Notice.
 - Penalty Notices will be used as a precursor or alternative to legal action, in appropriate cases. The recommendation to issue a Penalty Notice is undertaken at the School Attendance Panel and issued by the ESS.
 - The aims of the Non-Attendance Procedures are to ensure the regular school attendance of children and young people. Following the work undertaken by schools/academies and other services and at the end of the 6 week case management process the fortnightly Non-attendance Meetings will consider the implementation of legal intervention should a child or young person's attendance warrant it. Although for a significant number of children school interventions will result in an improvement in their attendance, where these interventions are unsuccessful, the deterrent effect of fines or legal action may influence positive change.
 - We also recognise that in a small number of cases the possibility of prosecution or prosecution itself does not positively impact on the child's attendance or

parental attitude. Between September 2014 and August 2015, there were 39 Penalty Notices issued and 75 prosecutions.

How we will know the strategy is working - key outcomes

23. If the strategy is working, then the key outcomes we would expect to see are:
- improved levels of attendance
 - reduced absence for holidays in term time
 - reduced numbers of pupils missing for unauthorised absence
 - all pupils who are removed from school rolls in Gateshead without a known destination will be identified to the ESS
 - information sharing agreements in place with all partner agencies to identify pupils without a school place

Consultation

24. The changes to this document reflect changes to government guidance and service capacity to deliver these changes, therefore a formal consultation was not undertaken.
25. The Cabinet Member for Children and Young People has been consulted

Alternative Options

26. The alternative option would be not to have a strategy; however, this would make it difficult to co-ordinate best practice in Gateshead schools and to provide support to vulnerable families in order to meet the government's expectations with regards to improving the attendance of our children and young people.

Implications of Recommended Option

27. **Resources:**
- a) **Financial Implications** – The Strategic Director, Corporate Resources confirms there no financial implications from this report
 - b) **Human Resources Implications** – there are no specific implications arising from this report
 - c) **Property Implications** - None
28. **Risk Management Implications** - None
29. **Equality and Diversity Implications** - All children, young people and their families have a right to equality of opportunity in terms of accessing support, advice and guidance
30. **Crime and Disorder Implications** – Improving attendance will reduce the risk of young people becoming involved in anti-social/criminal behaviour.

31. **Health Implications** – Improved attendance will contribute to improving the emotional health and wellbeing of vulnerable children and young people in Gateshead
32. **Sustainability Implications** - None
33. **Human Rights Implications** - Article 2 of the first protocol to the convention provides that no person shall be denied the right to education and provides parents with a right to ensure such education is in conformity with their own religious and philosophical convictions. However, this right is heavily qualified to the effect that it must be compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure.
34. **Area and Ward Implications** - This proposal will affect all wards.

Background Information

35. The following background papers have been used in the compilation of this report:-
 - 2004 Every Child Matters
 - 2005 Education (school attendance targets) England Regulations
 - Education Act 2006, Section 9, Section 19 (3A) and (3B) and Schedule 1
 - 'Every Day Counts' A Strategy for Improving School Attendance 2006
 - Penalty Notices Code of Conduct 2007
 - Guidance on Education Related Parenting Contracts, Parenting Orders and Penalty Notices DCSF 2007
 - 2007 Safeguarding Children and Safer Recruitment in Education
 - 2009 Working Together to Safeguard Children
 - DfE, Education White Paper, "The Importance of Teaching", 2010
 - Gateshead Council's Corporate Plan 2015-20
 - Gateshead Council's Vision 2030
 - Ensuring Children's Right to Education Guidance on the legal measure available to secure regular school attendance (DCFE 2008).
 - Charlie Taylor's Report Improving Attendance at School (2012)
 - Children Gateshead 2014-17



Attendance Strategy

2016-2020

"Every Day Counts" A Strategy for Improving School Attendance

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"Every Day Counts"

A Strategy for Improving School Attendance

Guiding Principles

The Council's vision for Gateshead is set out in its document Vision 2030. The strategy for improving school attendance supports this vision and, in particular, the outcomes identified for children and young people:

"Local people realising their full potential, enjoying the best quality of life in a healthy, equal, safe, prosperous and sustainable Gateshead."

The Council Plan 2015-20 also recognises the 'inequality in educational achievement' and the need to safeguard children and young people while narrowing the attainment gap of vulnerable young people

The Council recognises that it cannot meet this challenge alone and must work closely and in partnership with all those who have a stake in the education of the children, young people and their families of Gateshead.

National Context

In 2012 Charlie Taylor the then Government Expert Advisor on Behaviour produced his report '*Improving attendance at school*', highlighting the link between poor attendance at school and lower academic achievement. Of the pupils who miss more than 50% of school, he reports, only three per cent manage to achieve five or more GCSEs at grades A* to C including Maths and English in comparison to 73 percent of pupils who have attendance over 95% who achieve five or more GCSEs at grades A* to C.

Although attendance has improved steadily over the past few years in 2009/10 his report says that 57 million days of school were missed. Evidence shows that children with poor attendance are unlikely to succeed academically and they are more likely to end up becoming NEET that is not in education, employment or training when they leave school.

Despite improvements in attendance there remain a small number of children and young people who are persistently absent (PA) from school. Currently a persistent absentee is defined as 'any pupil who has been absent (authorised or unauthorised) for more than 19+ missed days or 38+ pupil sessions amounting to 10% of the average school calendar. In 2011 the threshold defining a 'persistent absence' pupil was lowered from those children and young people who missed more than 20% of school in one term to those who miss 15 per cent of school in one term, this has subsequently been reduced to 10% at the start of the 2015/16 academic year. The changes were made to ensure that children and young people who are having problems are identified at an earlier stage.

As they move through the school system the numbers of children who are persistently absent grow resulting in a significant number of persistently absent young people in the final years of secondary school. Often these are the young people who are disillusioned with and disaffected from school and who stop attending. By the time young people enter their mid-teens it becomes increasingly difficult for parents and schools to get them to attend school.

In addition to disaffection there are well known links between non-attendance, street crime and anti-social behaviour.

The government sees reducing absence from school as a priority and has made attendance a key aim of the "Troubled Families' agenda and a major focus within the Ofsted (safeguarding) agenda

Local Context

Working in partnership with schools, academies, health, the voluntary sector and council services we have seen a steady improvement in attendance.

Secondary attendance has increased from 89.32% in 1999 to 93.80% in 2013. Primary attendance has improved from 93.80% to 95.30% in the same time period.

In 2006 and then again in 2012 the Council agreed our previous attendance strategy 'Every Day Counts'. We are updating and extending the current strategy to take into account recent changes both at a national and local level.

This new strategy covers the coming four years 2016-2020 and will allow us to continue to make improvements in attendance. This strategy is founded on an ethos of partnership working with our schools, academies, partners and stakeholders. It builds on our existing good practice and incorporates changes in government guidance and legislation.

Strategy

1. Role of the Council

The Local Authority has a duty to ensure parents fulfil their legal responsibility in respect of their child's education. This is usually through attendance at school.

- The Education Support Service (ESS) will take the lead role on behalf of schools in utilising the increased number of legal powers (see 5 below) available to address poor school attendance.
- The Council will promote the importance of good attendance and avoiding term time holidays through publicity materials and the media.
- The ESS will continue to support children and young people with complex needs through the fortnightly School Attendance Panels, Transfer Meetings and monthly Pupil Placement Panel and Primary Fair Access Panel as and when appropriate.

2. Role of schools and academies

Schools have a statutory duty under section 175 of the Education Act 2002 to safeguard and promote the welfare of children. This can only be fulfilled through effective registration systems and active, whole school monitoring of pupil absence, in order to support and promote regular school attendance.

- In September 2006 **national absence codes** were published and since then schools must not adopt their own codes or change the meaning of existing codes.

- All schools and academies should have a **whole school attendance policy**, including a staged response which sets out how attendance is managed and what monitoring systems are in place. The headteacher should take responsibility for attendance, actively supported by every member of staff and endorsed and monitored by the governing body. Parents/carers should be informed of the school's stage response systems.
- Each governing body should nominate **one governor** to take a monitoring responsibility for attendance issues. Other governors may also play a more active role in monitoring individual cases where this is part of the school's attendance policy.
- All schools and academies should operate **First Day absence** procedures to ensure that parents are aware when their child is not in school.
- Schools and academies are responsible **for monitoring** the attendance of their children and/or young people who are placed on **alternative provision**.
- Primary and secondary schools and academies are part of the **Fair Access Protocols** which are implemented through the primary Fair Access Panel and secondary Pupil Placement Panel and they should be considered when specific issues might be seen to prohibit a child or young person from attending school. Where the Panel deems this is the case a child or young person may be moved to another school/academy through a managed move or as a hard to place pupil in an effort to improve their attendance.

3. Role of parents/carers and pupils

'Under section 7 of the Education Act 1996 parents/carers are responsible for making sure that their children of compulsory school age receive 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, alternative provision, or by education otherwise' (Guidance on Education Related Parenting Contracts, Parenting Orders and Penalty Notices DCSF 2007).

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Pupils are expected to attend and stay in school. Where there are issues that may affect their attendance, pupils are expected to discuss these matters with their parents/carers or a member of school staff.

If a parent requests a transfer to a new school, it is the parents' responsibility to ensure that their child continues to attend their current school until a place is available at another school.

In general, good practice would suggest that schools should expect pupils to remain on site at lunchtimes unless the parent/carer has confirmed that the child will return home for lunch.

Parents/carers are expected to support school attendance by avoiding family holidays during term time. Headteachers can only authorise Leave of Absence from school in

exceptional circumstances; a cheap holiday is not considered an exceptional circumstance by the DfE. Headteachers can ask the LA to issue a penalty notice for holidays taken during term time when all the criteria are met:

4. Role of other agencies

The ESS works closely with a range of agencies to address school attendance issues. In addition protocols with other Council services and the health services help to identify any children or young people who do not have a school place and refer them on to the ESS. The Youth Offending Team (YOT) and the Family Intervention Team (FIT) also identify school attendance issues and work actively to resolve them.

5. Legal powers

If a parent fails to ensure that their child attends school regularly, the Council has the power to take legal action against them in the Magistrates Court or to apply for an Education Supervision Order in the Family Proceedings Court.

Around 50 cases go to court each year under Sections 444(1) and 444(1A) of the Education Act 1996. Section 23 of the Anti-social Behaviour Act 2003 introduced penalty notices as an alternative to prosecution. Parents may discharge potential liability for conviction for an offence under section 444(1) by paying a penalty. Parenting contracts are also recommended as a means of supporting parents and avoiding the need for legal action.

Gateshead Council uses a 6 week case management system to allow parents an opportunity to improve their child(ren) attendance before consideration is given for legal action to be taken for non-attendance. This involves the setting of targets for pupil attendance, which if not met can result in the issuing of a Penalty Notice or the prosecution of parents.

- Penalty Notices will be used as a precursor or alternative to legal action, in appropriate cases. The recommendation to issue a Penalty Notice is undertaken at the School Attendance Panel and issued by the ESS.
- The aims of the Non-Attendance Procedures are to ensure the regular school attendance of children and young people. Following the work undertaken by schools/academies and other services and at the end of the 6 week case management process the fortnightly School Attendance Panel will consider the implementation of legal intervention should a child or young person's attendance warrant it. Although for a significant number of children school interventions will result in an improvement in their attendance, where these interventions are unsuccessful, the deterrent effect of fines or legal action may influence positive change.
- We also recognise that in a small number of cases the possibility of prosecution or prosecution itself does not positively impact on the child's attendance or parental attitude. Between September 2014 and August 2015, there were 39 Penalty Notices issued and 75 prosecutions.

6. Information sharing and Pupil Tracking

The Council uses the Education Management Information System (EMIS), which tracks individual pupil mobility, exclusions, attainment, looked after status and pupils who are educated other than at school. As part of this, schools and academies will need to

maintain accurate and up to date attendance records.

Regulations provide that a pupil's name should not be removed from the school roll except in specific circumstances. Removal in any other case would be unlawful. However if the Council is to minimise the risk of pupils "slipping through the net", it is essential that it is made aware of all decisions to remove a pupil's name from the school roll, in order to plan for continued and appropriate education.

The ESS has existing protocols with other Council services and health agencies for information sharing where a child appears to be without a school place.

- The Council and its school/academies will continue to work in partnership with other agencies to develop information sharing systems.
- The Council will continue to develop protocols and procedures to improve pupil tracking and monitoring of pupils without a school place.
- Schools/Academies will be expected to inform and liaise with the ESS before removing a pupil's name from the school roll (unless it has been established that the pupil has been admitted to another school and Common Transfer File (CTF) procedures have been followed or the pupil has been permanently excluded by the school).

7. Data collection and attendance targets

Schools and academies have supplied attendance data to the DfE annually for a number of years and are now required to supply this information on a termly basis. The Council has access to this information but it is available at whole school level only. All target setting for schools is non-statutory but we do ask our schools as part of good practice to take part in an LA target setting collection; of which overall attendance percentage is one of the targets that is collected.

8. Celebrating good and improving attendance

Schools are encouraged to promote good attendance achievement using a range of initiatives, including celebrating good and improving attendance. In addition the Council is keen to support this through borough wide initiatives.

The Council and its schools will continue to find ways to celebrate good and improving attendance, including the use of rewards (with appropriate sponsorship).

How we will know the strategy is working - key outcomes

If the strategy is working, then the key outcomes we would expect to see are:

1. improved levels of attendance
2. reduced absence for holidays in term time
3. reduced numbers of pupils missing for unauthorised absence
4. all pupils who are removed from school rolls in Gateshead without a known destination will be identified to the ESS
5. information sharing agreements in place with all partner agencies to identify pupils without a school place

Monitoring and evaluation

Progress in relation to the Attendance Strategy will be reviewed on an ongoing basis.