

**TITLE OF REPORT:** School Attendance 2021/2022

**REPORT OF:** Service Director, Education, Schools and Inclusion

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## **SUMMARY**

1. The purpose of this report is to update the Children and Families Overview and Scrutiny Committee on attendance in Gateshead for academic year 2021-2022.
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## **Background**

2. Regular school attendance is essential for pupils to get the most out of their school experience, including their attainment, wellbeing, and wider life chances.
3. The pupils with the highest attainment at the end of key stage 2 and key stage 4 have higher rates of attendance over the key stage compared to those with the lowest attainment.
4. At KS2, pupils not meeting the expected standard in reading, writing and maths had an overall absence rate of 4.7%, compared to 3.5% among those meeting the expected standard. Moreover, the overall absence rate of pupils not meeting the expected standard was higher than among those meeting the higher standard (4.7% compared to 2.7%). At KS4, pupils not achieving grade 9 to 4 in English and maths had an overall absence rate of 8.8%, compared to 5.2% among those achieving grade 4 to 1. The overall absence rate of pupils not achieving grade 9 to 4 was over twice as high as those achieving grade 9 to 5 (8.8% compared to 3.7%).<sup>2 12</sup>.
5. For the most vulnerable pupils, regular attendance is also an important protective factor and the best opportunity for needs to be identified and support provided.
6. Research has shown associations between regular absence from school and a number of extra-familial harms. This includes crime (90% of young offenders had been persistently absent) and serious violence (83% of knife possession offenders had been persistently absent in at least 1 of the 5 years of study).

7. Improving attendance is everyone's business. The barriers to accessing education are wide and complex, both within and beyond the school gates, and are often specific to individual pupils and families.
8. The foundation of securing good attendance is that school is a calm, orderly, safe, and supportive environment where all pupils want to be and are keen and ready to learn.
9. Some pupils find it harder than others to attend school and therefore at all stages of improving attendance, schools and partners should work with pupils and parents to remove any barriers to attendance by building strong and trusting relationships and working together to put the right support in place.
10. Securing good attendance cannot therefore be seen in isolation, and effective practices for improvement will involve close interaction with schools' efforts on curriculum, behaviour, bullying, special educational needs support, pastoral and mental health and wellbeing, and effective use of resources, including pupil premium.
11. It cannot solely be the preserve of a single member of staff, or organisation, it must be a concerted effort across all teaching and non-teaching staff in school, the trust or governing body, the local authority, and other local partners.
12. The law entitles every child of compulsory school age to an efficient, full-time education suitable to their age, aptitude, and any special educational need they may have.
- 13. It is the legal responsibility of every parent to make sure their child receives that education either by attendance at a school or by education otherwise than at a school.**
- 14. Where parents decide to have their child registered at school, they have an additional legal duty to ensure their child attends that school regularly.**
15. This means their child must attend every day that the school is open, except in a small number of allowable circumstances such as being too ill to attend or being given permission for an absence in advance from the school.
16. As absence is so often a symptom of wider issues a family is facing, schools, trusts and local authorities should always work together with other local partners to understand the barriers to attendance and provide support.
17. Where that is not successful, or is not engaged with, the law protects pupils' right to an education and provides a range of legal interventions to formalise

attendance improvement efforts, and where all other avenues have been exhausted, enforce it through prosecuting parents.

18. Attendance legal intervention can only be used for pupils of compulsory school age and decisions should be made on an individual case by case basis.

**19. Formal intervention support** can include a parenting contract agreed by the pupil, parent, school and/or local authority progressing to a legally binding Education Supervision Order in the Family Court if there is non-engagement, and it is deemed necessary.

**20. Statutory children's social care involvement** Where there are safeguarding concerns and an Education Supervision Order is not appropriate or has not been successful the case can be considered for s.17 or s.47 statutory social care involvement.

**21. Attendance prosecution** where all other routes have failed or are not deemed appropriate, the case can be considered for attendance prosecution in the Magistrates Court or a Fixed Penalty Notice (FPN) for irregular attendance.

22. In Gateshead, once a school has exhausted all strategies available to them to support an improvement in a child/young person's attendance, a referral can be made to Legal Intervention Team for formal action to be taken against the parents for failing in their legal responsibility to ensure their child's regular attendance.

23. Parents are given 6 weeks for their child's attendance to reach the expected level. During the 6-week period parents are issued with a formal warning, offered a meeting (via phone, Teams or in person) and, if the case moves towards prosecution, invited to complete a Police and Criminal Evidence (PACE) - interview under caution. If the attendance remains unsatisfactory, the parent may be issued with a Fixed Penalty Notice or prosecuted in a Magistrates Court.

24. Fixed Penalty Notices (FPN) can be issued to parents as an alternative to prosecution where they have failed to ensure their child's regular attendance. However, non-payment of the fine results in the matter proceeding to court for the original offence of failing to ensure their child's regular school attendance.

25. Good school attendance is considered to be an attendance percentage approximately 95%+. The Department for Education calculate an overall national absence rate.

26. Pupils are considered to be **persistently absent** if their attendance falls below 90%. The Department for Education calculate an overall national persistent absent rate from this.

For further background information see **Appendix 1**

### Attendance information 2021/2022

27. **Table 1** shows the national and Gateshead overall absence rate

**Table 1**

	2018-2019	2019-2020 Autumn term	2020-2021	2021-2022
National rate	4.8%	4.9%	4.6%	7.5% (+2.9)
Gateshead rate	4.6%	5.7%	4.9%	8.3% (+3.3)

() increase/decrease from previous year

Pandemic absence statistics suspended spring/summer

28. **Table 2** shows the national and Gateshead persistent absence rate

**Table 2**

	2018-2019	2019-2020 Autumn term	2020-2021	2021-2022
National rate	18.5%	13.2%	11.1%	22.6% (+11.5)
Gateshead rate	17.9%	15.9%	13.3%	24.4% (+11.4)

() increase/decrease from previous year

Pandemic absence statistics suspended spring/summer

29. **Table 3** shows the national and Gateshead severe persistent absence rate

**Table 3**

	2018-2019	2019-2020 Autumn term	2020-2021	2021-2022
National rate		0.9%	1.1	1.6 (+0.5)
Gateshead rate		0.9%	1.1	2.2 (+1.1)

() increase/decrease from previous year

Pandemic absence statistics suspended spring/summer

30. Many schools showed strength in their approach to attendance in 2021-2022. This included 23 primary schools and two secondary schools.
31. Some schools had challenges in 2021-2022. This included 20 primary schools and 4 secondary schools.
32. In 2021-2022 the Department for Education launched a national attendance data sharing site for schools to report attendance into each day. This allows schools to make real time comparisons with themselves and other schools. As of 09/12/2022 the following schools had signed up to the system representing 11115 pupils: Barley Mow Bill Quay Brandling Brighton Avenue Chopwell Crookhill Dunston Emmanuel College Esslington Grace College Harlow Heworth Grange High Spennings Lane Kibblesworth Lobley Hill Parkhead Ravensworth River Tyne Riverside Roman Road Rowlands Gill Ryton Infant Ryton Junior St Augustine's St Joseph's Infant Birtley St Joseph's Junior Birtley St Joseph's Gateshead St Joseph's Highfield St Philip Neri Swalwell Washingwell.

## **Summary**

33. Overall absence rates are above the national average. Pupils in Gateshead schools attend school less regularly than other pupils nationally.
34. Overall, in 2021-2022 attendance percentages for primary aged pupils in maintained and Special schools sat between 90%-95%; secondary pupils in maintained schools/academies/Special sat below 90% attendance. It can be reasonable to conclude that as children get older their attendance at Gateshead school decreases.
35. Overall, in 2021-2022 year 6 and year 11 pupils across the local area had attended school less well than other year groups within their respective phase.
36. Overall persistent absence rates are increasing against national measure. Gateshead pupils are persistently absent more than other pupils nationally.
37. Overall, in 2021-2022 year 5 and year 11 pupils across the local area had the highest persistent absence rate.
38. Overall persistent absence rates are increasing against national measure. Gateshead pupils are persistently absent more than other pupils nationally.

## Legal Intervention Team

39. **Table A:** Penalty Notices issued for Non-Attendance 2017 -2022

	2017-18	2018-19	2019-20 (Sept-March)	2020-21	2021-22
Number Issued	53 (2 pending)	20	5	0	14
Number Paid	20	0	2	n/a	3
Number Unpaid	25	13	3	n/a	7
Withdrawn	6	7	0	n/a	0
Payments pending	-	-	-	-	4

40. **Table B:** Referrals for Unauthorised Leave of Absence 2017-2022

	2017-18	2018-19	2019-20 (Sept-March)	2020-21	2021-22
Number of referrals	600	953	398	27	534
Warning Letters issued	452	728	304	19	362
Penalty Notices issued	121	225	94	0	172
Penalty Notices paid	64	142	61	n/a	99
Penalty Notices not paid	21	10	20	n/a	15
Penalty Notices withdrawn	2	15	10	8 (Covid issues)	17
Payments pending	20	58	3	n/a	41

41. **Table C:** Total number of prosecutions 2017 - 2022

2017-18	2018-19	2019-20	2020-21	2021-22
154	66	84	23	59

42. **Table D:** Summary of permits and licenses issued annually 2017-2022

	2017-18	2018-19	2019-20	2020-21	2021-22
Child Employment Permits	34	45	18	28	35
Child Performance Licences	169	373	102	35	55
Body of Persons Approval	-	19	8	2	7

Chaperone Approvals	103	22	25	8	76
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43. **Table E:** Summary of CME work 2017-2022

	2017-18	2018-19	2019-20	2020-21	2021-22
Total number of Referrals (leavers and arrivals)	156	139	145	554	400
<b>Leavers</b>	-	-	-	156	239
Found	54	73	38	97	139
Moved abroad - found	5	22	7	26	17
Not traced	31	6	18	15	42
Moved abroad: not traced	66	38	34	5	8
Not CME	-	-	6	13	33
<b>Arrivals</b>	-	-	42	398	161

### Strategic recommendations

44. Attendance is a key focus of local area work sitting right across the Gateshead system due to the revised Department for Education Guidance 'Working Together to Improve Attendance' (May 2022). This is being championed by Helen Ferguson, Suzanne Dunn and Andrea Houlahan. The local area has voluntarily opted to have a Department of Education mentor as a critical friend to support us through this process. This collaboration includes a critical look at the emerging graduated offer we are developing within the local area with key strategic leads as well a deep dive into current practice to ensure that our evaluation of current practice is robust. The mentor is also able to share and advise on national context and current good practice to guide curiosity about what may be achievable within our own area.

45. The recommended key priorities are to:

- a. Develop a graduated partnership approach to improving attendance utilizing/extending the existing strategies and approaches across the system.
- b. Have appropriate governance arrangements to ensure that strategies and approaches are robustly aligned and working well; driving improvements in attendance.
- c. Appoint an officer to manage the synergy system so attendance data can be routinely and robustly interrogated to inform and evaluate work.

### Recommendations

46. The Overview and Scrutiny Committee is asked to receive this report for information and discussion.

## Key documents

Working together to Improve Attendance (May 2022) [Working together to improve school attendance \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/107127/Working_together_to_improve_school_attendance.pdf)

Child performance and activities licensing legislation in England (2015) [Advice template \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/47127/Child_performance_and_activities_licensing_legislation_in_England.pdf)

Children missing education (2016) [Stat guidance template \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/52127/Children_missing_education.pdf)



## **Appendix 1 - Additional background information**

### **Legal Intervention Team staffing**

1. Gateshead currently employ 4 full time members of staff in the Legal Intervention Team (1xGrade I 3xGrade H) to carry out the following statutory duties:
  - Penalty Notices (non-attendance, unauthorised leave of absence, exclusions)
  - Prosecution in Magistrates Court
  - School Attendance Orders
  - Child Performance Licences
  - Chaperone Approval (performance)
  - Child Employment Permits
  - Children Missing from Education (CME)

### **Emotionally Based School Avoidance**

2. is an umbrella term used to describe a group of children and young people that have severe difficulty in attending school due to emotional factors which can result in prolonged absences from school. There is a clear distinction between those who are absent from school due to truancing and those that are absent from school due to specific emotional distress that they experience around attending school.
3. Previously referred to a 'school refuser' this term can be misleading as the word 'refuser' implies that the child or young person has control over school non-attendance. In this instance the terminology locates the problem within the child/young person and detracts from the environmental factors that could be instrumental in supporting a child or young person back into school.
4. The local authority, through the high needs funding block and Schools Forum via de-delegation of funding, have provided funds for 2 Emotionally Based School Avoidance Learning Mentors until March 2023. These officers provide support for pupils presenting with emotionally based school avoidance (EBSA).
5. The Emotionally Based School Avoidance Learning Mentors work to support the reintegration and engagement of pupils back into their educational provision (special or mainstream school) or to support increased attendance.
6. These officers are allocated through a school led referral to Education Inclusion Panel (EIP) who hold the local authority's statutory duty to 'arranging suitable full-time education for children of compulsory school age who, because of illness, would not receive suitable education without such provision. This applies whether the child is on the roll of a school and whatever the type of school they attend. It applies to children who are pupils in

Academies, Free Schools, special schools and independent schools as well as those in maintained schools.'

7. In 2021/2022 there were a total of 127 referrals made to Education Inclusion Panel (EIP). Of these 78 (61%) were deemed appropriate. 30 (38%) of these appropriate referrals were seeking allocation of an Emotionally Based School Avoidance Learning Mentor.

### **The Team Around the School (TAS) model**

8. This commenced in April 2018 with one school. It now includes four Secondary schools (Whickham, Lord Lawson of Beamish, Heworth Grange and Kingsmeadow) and two primary schools (South Street and Carr Hill).
9. The model focuses on children and young people within Years 5, 6, 7 and 8 and uses a monthly panel meeting of school staff, Early Help practitioner and manager and drugs/alcohol worker (currently Platform). Allocations of support are given through school staff completing a vulnerability tool to record and evidence concerns about children and young people in these year groups. TAS is one of several initiatives in place to support education colleagues to provide early help interventions that can include a focus on wider familial and contextual issues that impact upon consistently good school attendance at a Tier 2 intervention level.

### **The Social Workers in Schools Programme**

10. This aims the expertise of social workers to help facilitate a real time supportive and collaborative response to safeguarding concerns within schools at the very earliest opportunity. Social worker colleagues are also available to offer support, advice and smaller scale interventions within the school.
11. Gateshead Council secured funding up until March 2022 and this has now been extended to August 2023.
12. The following schools were randomly selected to host a social worker through the Programme: Whickham Kingsmeadow St. Thomas More Lord Lawson River Tyne Academy Heworth Grange with a total outreach to in excess of 6000 young people and their families.