



10 NEW ATTENDANCE RULES FROM AUGUST 2024

£80 FINES AND IMPROVEMENT NOTICES

1

Absence fines charged to parents are now £80, or £160 if not paid within 21 days. Schools will decide whether to issue a fine, but the local council will actually issue the fines. From the Autumn term 2024, only two fines can be issued to the same parent for the same child within a three-year rolling period. Any notice thereafter will automatically be charged at £160. Parents will also receive "improvement notices," informing them that this is their last opportunity to engage with education and improve their child's attendance before a fine is issued. Please see page 3 for more detail.

NATIONAL FINE THRESHOLDS

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From September 2024, schools will have to consider a fine if a pupil misses 10 sessions of unauthorised absence in a rolling period of 10 school weeks. Schools should not adopt a blanket policy of issuing or not issuing penalty notices. The threshold can be met with any combination of unauthorised absence, such as four sessions in term time plus six instances of arriving late. The period of 10 school weeks can also span different terms or school years (e.g. 2 sessions of unauthorised absence in the Summer Term and a further 8 within the Autumn Term).

COUNCILS CAN USE CASH FOR SUPPORT

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Penalty notices are not intended to be a money-making scheme, and local authorities should not have income targets. Revenues must be ringfenced for attendance. Previously, councils could only use revenues to administer the fines system, but they can now use any surplus on attendance support. Any remaining surplus at the end of the year must be paid to the Secretary of State. Please see page 3 for more detail.

MANDATORY DAILY DATA SHARING

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From September, schools must share daily attendance data with the government. The easiest way to do this is by using an electronic management information system which the DfE can access, allowing an automated flow of data. Nearly 90% of schools already have this system in place, so it should not be a significant change for most schools. Schools will also be able to monitor attendance and access near real-time data to understand trends in attendance patterns. Please see page 3 for more detail.

GUIDANCE STATES NOT TO GRANT LEAVE FOR PROTESTS

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Schools have the discretion to grant absences, but updated guidance restricts scenarios for granting leave, including study leave, protests, or interviews. The guidance states that leave of absence should not be granted for pupils to take part in protest activity during school hours. The Education Secretary emphasises that missing school for activism is unacceptable.

6

LONG-TERM SICKNESS TO BE FLAGGED WITH LOCAL AUTHORITIES

Schools must report to councils the name and address of pupils who they believe will miss 15 consecutive or cumulative days due to sickness. Schools are also expected to inform a pupil's social worker and/or youth offending team worker if there are unexplained absences from school.

7

MENTAL HEALTH AWARENESS

Schools should be particularly mindful of pupils absent due to mental or physical ill health or special educational needs and/or disabilities, providing them with additional support. The guidance acknowledges that many children experience normal but difficult emotions that make them nervous about attending school. However, it is important to note that these pupils are still expected to attend school regularly.

8

B CODES

Ministers have revised attendance codes due to concerns about misuse. A new code K will apply to education provision arranged by a council rather than the school. There are greater restrictions on using code B for off-site education arranged by schools, requiring the provision to be of an educational nature and approved by the school. Schools must record the nature of the education provided and ensure appropriate measures have been taken to safeguard the pupil.

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DON'T 'RETROSPECTIVELY' REMOVE PUPILS FROM REGISTERS

Guidance is now more prescriptive about when pupils should and should not be removed from admissions registers. Schools cannot retrospectively delete a pupil's name from the admission register or attendance register. If pupils have been located but not returned to class, a joint decision is needed between schools and local authorities. Pupils can only be removed from a register if there are no reasonable grounds to believe the child will return, even with support or enforcement.

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C & Y CODES

The government has created additional "C" absence codes. While C will be for exceptional circumstances, C1 will be for absence for a regulated performance or employment abroad, and C2 will be for pupils on part-time timetables. A new code Q will be for pupils unable to attend school due to lack of access arrangements. The current code Y will be split as follows: Y1 for absence due to unavailable transport, Y2 for widespread travel disruption, Y3 for partial school closure, Y4 for unexpected whole school closure, Y5 for pupils in the criminal justice system, Y6 for absence due to public health guidance or law, and Y7 for any other unavoidable cause.

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In cases where a pupil has moved school or local authority area in the previous 3 years, an additional check should be made to try and ascertain whether previous penalty notices have been issued to the parent in respect of the pupil. Where the pupil's previous school was in the same local authority area this check will be simple. If the pupil has moved between local authorities in the previous 3 years and the previous local authority(ies) is known, they should be contacted to check whether a penalty notice has been issued to that parent for that pupil in the previous 3 years. These checks can be made by the school and/or local authority depending on the agreed local process.

In cases where the previous local authority is not known or the information cannot be, or is not, provided by the previous local authority, it should be assumed that the parent has not previously received a penalty notice and the escalation process started as a new case. All local authorities are expected to have an email mailbox to make these enquires as easy as possible.

COUNCILS CAN USE CASH FOR SUPPORT

As local authorities vary significantly in size, organisational approach and demographics, it is right that the specifics of attendance service delivery and how those roles are discharged should be determined locally to meet local needs of pupils, parents, and schools. As a minimum, however, all local authorities are expected to:

- ♦ Rigorously track local attendance data to devise a strategic approach to attendance that prioritises the pupils, pupil cohorts and schools on which to provide support and focus its efforts on to unblock area wide barriers to attendance.
- ♦ Have a School Attendance Support Team which provides the following core functions free of charge to all schools (regardless of type).
- ♦ Communication and advice: regularly bring schools together to communicate messages, provide advice and share best practice between schools and trusts within the area.
- ♦ Targeting Support Meetings: hold regular conversations with schools, using their attendance data to identify pupils and cohorts at risk of poor attendance and agree targeted actions and access to services for those pupils.
- ♦ Multi-disciplinary support for families: provide access to early help support workers to work intensively with families to provide practical whole-family support where needed to tackle the causes of absenteeism and unblock the barriers to attendance.
- ♦ Legal intervention: take forward attendance legal intervention (using the full range of parental responsibility measures) where voluntary support has not been successful or engaged with.
- ♦ Monitor and improve the attendance of children with a social worker through their Virtual School

MANDATORY DAILY DATA SHARING

Schools may wish to make use of the View Your Education Data tool to compare attendance outcomes of different cohorts of pupils at a local and national level to identify where intervention is most needed.

For more information visit <https://www.gov.uk/guidance/share-your-daily-school-attendance-data>